

7024. Also, petition of Eureka Woman's Club, California, indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

7025. Also, petition of Carlotta Woman's Club, California, indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

7026. Also, petition of Country Club of Washington Township, Calif., indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

7027. Also, petition of Oakland New Century Club, California, indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

7028. Also, petition of Atlanta Woman's Club, California, indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

7029. Also, petition of Rhodora Club, California, indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

7030. Also, petition of Calaveras Woman's Club, California, indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

7031. Also, petition of South Alhambra Woman's Club, California, indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

7032. Also, petition of Pacific Grove Woman's Club, California, indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

7033. Also, petition of Dinuba Woman's Club, California, indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

7034. Also, petition of Hamilton City Woman's Club, California, indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

7035. Also, petition of Monterey County Federation, California, indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

7036. Also, petition of Lodi Woman's Club, California, indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

7037. Also, petition of Fruitvale Woman's Club, California, indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

7038. Also, petition of Unit X, California State Organization Public Health Nursing, California, indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

7039. Also, petition of the Oakland Club, California, indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

7040. Also, petition of Adelpian Club, California, indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

7041. Also, petition of Dorcas Club, California, indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

7042. By Mr. FULMER: Resolution submitted by R. B. Waters, board of trade of Sumter, S. C., and passed by the city council of Sumter, S. C., indorsing legislation to enlarge the present post-office building at Sumter, S. C.; to the Committee Public Buildings and Grounds.

7043. By Mr. GARBER of Oklahoma: Petition of Ingham Lumber Co., Kansas City, Mo., in opposition to the tariff on lumber; to the Committee on Ways and Means.

7044. Also, petition of Euchee Lodge No. 524, Ancient Free and Accepted Masons, Sapulpa, Okla., in support of Capper-Robinson bill; to the Committee on Education.

7045. Also, petition of Oklahoma State Federation of Labor in support of House bill 6603; to the Committee on the Post Office and Post Roads.

7046. By Mr. GIBSON: Petition of citizens of the towns of Wells River and Newbury, Vt., urging legislation (H. R. 2562) for the relief of Spanish War veterans; to the Committee on Pensions.

7047. By Mr. KORELL: Petition of residents of Multnomah County, Oreg., urging the enactment of House bill 8976, for the relief of veterans and widows and minor orphans of veterans of Indian wars; to the Committee on Pensions.

7048. By Mr. MILLER: Petition of residents of Seattle, Wash., for favorable report and enactment of House bill 8976, for the relief of veterans and widows and minor orphan children of veterans of Indian wars; to the Committee on Pensions.

7049. By Mr. O'CONNELL of New York: Petition of the Kings County (N. Y.) Pharmaceutical Society, 350 members, respectfully favoring the passage of House bill 11; to the Committee on Interstate and Foreign Commerce.

7050. By Mr. O'CONNOR of Oklahoma: Petition of Mrs. T. E. Berry and 89 other residents of Tulsa, Okla., protesting any proposed change in the calendar of the weekly cycle; to the Committee on Foreign Affairs.

7051. By Mr. PURNELL: Petition of Elizabeth M. Reagan et al., favoring the passage of Senate bill 1468, to amend the food and drugs act of June 30, 1906, by extending its provisions to tobacco and tobacco products; to the Committee on Agriculture.

7052. By Mr. RAMSPECK: Petition of Mr. J. R. Bosworth and 55 other citizens of Atlanta, Ga., in behalf of the proposed legislation to increase Spanish War pensions; to the Committee on Pensions.

7053. By Mr. STONE: Resolution signed by Jerry Small, president, and W. A. Lile, secretary, of the Painters Local Union, No. 1002, Stillwater, Okla., to support House bill 10343, relating to restriction of immigration; to the Committee on Immigration and Naturalization.

7054. By Mr. SWICK: Petition of Mrs. J. B. Mickey and 147 residents of Vanport and vicinity, Beaver County, Pa., urging the enactment of House bill 2562 and Senate bill 476, for the relief of veterans and their widows of the Spanish-American War; to the Committee on Pensions.

7055. By Mr. SWING: Petition of 103 citizens of the eleventh congressional district of California, urging the adoption of a bill to restrict Mexican immigration; to the Committee on Immigration and Naturalization.

7056. By Mr. TARVER: Petition of J. Leo Baker and other citizens of Chattooga County, Ga., in the interest of Spanish-American War veterans' legislation; to the Committee on Pensions.

SENATE

TUESDAY, April 22, 1930

(Legislative day of Monday, April 21, 1930)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

The VICE PRESIDENT. The Senate will receive a message from the House of Representatives.

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Chaffee, one of its clerks, announced that the House had passed the bill (S. 3135) granting the consent of Congress to Helena S. Ras-kob to construct a dam across Robins Cove, a tributary of Chester River, Queen Annes County, Md.

The message also announced that the House had passed the following bills and joint resolution of the Senate severally with an amendment, in which it requested the concurrence of the Senate:

S. 549. An act to authorize the Secretary of the Navy to proceed with the construction of certain public works, and for other purposes;

S. 3477. An act validating certain applications for and entries of public lands, and for other purposes; and

S. J. Res. 152. Joint resolution to extend the provisions of the joint resolution for the relief of farmers in certain storm, flood, and/or drought stricken areas, approved March 3, 1930.

The message further announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 9806) to authorize the construction of certain bridges and to extend the times for commencing and completing the construction of other bridges over the navigable waters of the United States; requested a conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. DENISON, Mr. BURTNESS, and Mr. PARKS were appointed managers on the part of the House at the conference.

The message also announced that the House had passed the following bills and joint resolutions, in which it requested the concurrence of the Senate:

H. R. 14. An act to make The Star-Spangled Banner the national anthem of the United States of America;

H. R. 2156. An act authorizing the sale of all of the interest and rights of the United States of America in the Columbia Arsenal property, situated in the ninth civil district of Maury County, Tenn., and providing that the net fund be deposited in the military post construction fund, and for the repeal of Public Law No. 542 (H. R. 12479), Seventieth Congress;

H. R. 2828. An act to protect trade-marks used in commerce, to authorize the registration of such trade-marks, and for other purposes;

H. R. 3717. An act to add certain lands to the Fremont National Forest in the State of Oregon;

H. R. 6127. An act to authorize the payment of checking charges and arrastre charges on consignments of goods shipped to Philippine Islands;

H. R. 8763. An act to authorize the Secretary of the Interior to investigate and report to Congress on the advisability and practicability of establishing a national park to be known as the Apostle Islands National Park in the State of Wisconsin, and for other purposes;

H. R. 8881. An act to carry out the recommendation of the President in connection with the late-claims agreement entered into pursuant to the settlement of war claims act of 1928;

H. R. 9674. An act to amend an act to parole United States prisoners, and for other purposes, approved June 25, 1910;

H. R. 10198. An act to repeal obsolete statutes, and to improve the United States Code;

H. R. 10581. An act to provide for the addition of certain lands to the Yosemite National Park, Calif., and for other purposes;

H. R. 10652. An act to authorize the Secretary of Commerce to purchase land and to construct buildings and facilities suitable for radio research investigations;

H. R. 10960. An act to amend the law relative to the citizenship and naturalization of married women, and for other purposes;

H. R. 11046. An act to legalize a bridge across the Hudson River at Stillwater, N. Y.;

H. R. 11704. An act to amend the air mail act of February 2, 1925, as amended by the acts of June 3, 1926, and May 17, 1928, further to encourage commercial aviation;

H. J. Res. 243. Joint resolution authorizing an appropriation to defray one-half of the expenses of a joint investigation by the United States and Canada of the probable effects of proposed developments to generate electric power from the movement of the tides in Passamaquoddy and Cobscook Bays; and

H. J. Res. 270. Joint resolution authorizing an appropriation to defray the expenses of the participation of the Government in the Sixth Pan American Child Congress, to be held at Lima, Peru, July, 1930.

ENROLLED BILLS SIGNED

The message further announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the Vice President:

S. 3135. An act granting the consent of Congress to Helena S. Raskob to construct a dam across Robins Cove, a tributary of Chester River, Queen Annes County, Md.; and

H. R. 7881. An act authorizing the Secretary of the Interior to erect a monument as a memorial to the deceased Indian chiefs and ex-service men of the Cheyenne River Sioux Tribe of Indians.

NATIONAL FINANCES

Mr. JONES. Mr. President, I hold in my hand a letter from the President, which I received two or three days ago. It deals with a very important situation which I know everyone desires to meet in a proper way. I did not feel like having it placed in the RECORD or read before the Senate until I had conferred with the President and had his wishes in regard to the matter. I now ask that the letter be read from the clerk's desk.

The VICE PRESIDENT. The clerk will read, as requested. The Chief Clerk read as follows:

THE WHITE HOUSE,
Washington, April 18, 1930.

The Hon. WESLEY L. JONES,

United States Senate.

MY DEAR MR. SENATOR: I thought you would like to know that a re-examination of our fiscal situation for the next year by the Director of the Budget shows that upon the indicated income of the Government and the expenditures to which the Government is already committed through Budget proposals and legislation which has been completed, we are faced with a deficit of some twenty or thirty millions of dollars. This, of course, is not as yet a very material sum, but it is obvious that any further large amounts of expenditure will jeopardize the primary duty of the Government; that is, to hold expenditures within our income.

Something over 125 acts have been passed by either the Senate or the House or favorably reported by different committees, which would authorize an additional expenditure of three hundred or three hundred and fifty million dollars next year. A good many of these proposals are, of course, for comparatively small sums, and some of them are necessary for the functioning of the Government, but I know you will agree with me that there is cause for real alarm in the situation as we can not contemplate any such deficit.

I am writing a similar note to Representative Wood.

Yours faithfully,

HERBERT HOOVER.

Mr. BORAH. Mr. President, I think the letter which has just been read is a very important one. I would like to ask the Senator to whom it is addressed if it has any practical application to any measure of which he knows that is now pending.

Mr. JONES. I have not followed closely all the measures that we have passed. So far as the general appropriation bills are concerned, the Committee on Appropriations have held them, in the aggregate at any rate, below the Budget estimate, so that whatever increases may be contemplated are probably going to arise from independent legislation that we have passed or that may be in contemplation.

Mr. BORAH. Has the Senator knowledge of any specific bill to which the letter has reference?

Mr. JONES. No; I have not.

Mr. BORAH. Does he know how we could get any information as to what specific measure it has reference?

Mr. JONES. No; I do not.

The VICE PRESIDENT. The President's letter will be referred to the Committee on Appropriations.

PETITIONS AND MEMORIALS

The VICE PRESIDENT laid before the Senate a communication in the nature of a petition from the chairman of the gold-star mothers of the World War at Wayne, Pa., praying for the passage of the bill (H. R. 4138) to amend the act of March 2, 1929, entitled "An act to enable the mothers and widows of the deceased soldiers, sailors, and marines of the American forces now interred in the cemeteries of Europe to make a pilgrimage to these cemeteries," which was ordered to lie on the table.

He also laid before the Senate the memorial of McCook Post, No. 51, and McCook Corps, No. 145, Grand Army of the Republic, of Iola, Kans., remonstrating against the passage of the bill (S. 3810) to provide for the commemoration of the termination of the War between the States at Appomattox Court House, Va., which was referred to the Committee on Military Affairs.

Mr. TYDINGS presented a petition of sundry citizens of Baltimore, Md., praying for the passage of legislation granting increased pensions to veterans of the war with Spain, which was ordered to lie on the table.

Mr. BLAINE presented a resolution adopted by the Woman's Christian Temperance Union of Neillsville, Wis., favoring the passage of legislation for the supervision of motion pictures and the establishment of higher standards in the production of films that are to be licensed for interstate and foreign commerce, which was referred to the Committee on Interstate Commerce.

CONTROL OF NARCOTICS

Mr. COPELAND. Mr. President, I find in my State a great deal of opposition on the part of the medical profession to the so-called Porter narcotic bill. I hold in my hand a letter from Dr. Howard Lillenthal, a prominent physician of New York, who incloses an editorial from the Journal of the American Medical Association relating to the subject, and also a reprint from the American Medical Association Bulletin and a memorial from members of the Schenectady County Medical Society, who are opposed to the passage of the bill in its present form. I do not wish at all to state that these objections voice my own view, but I do wish to have them made a matter of record. I therefore ask permission to have them printed in the RECORD and referred to the Committee on the Judiciary.

There being no objection, the letter and inclosures were referred to the Committee on the Judiciary and ordered to be printed in the RECORD, as follows:

NEW YORK, April 21, 1930.

Hon. ROYAL S. COPELAND,

Washington, D. C.

MY DEAR DOCTOR: Thank you for your kind interest in the matter of the Porter narcotic bill.

My reasons for objecting to this bill are those which you have doubtless seen in the April 5 number of the Journal of the American Medical Association. Since that time I understand that the bill, without amendment, has been acted upon favorably by the House of Representatives. I am inclosing a clipping from the April 19 number of the same journal, which seems to me to cover the matter pretty well. Personally I think it would be little short of a disaster to have any one person placed in charge of the professional use of narcotics by physicians.

I therefore protest once more the passage of H. R. 11143 as it now stands. I feel quite sure that with your broad knowledge of professional matters you can not fail to realize that bills of this kind will place a premium upon the illicit sale of narcotics while merely hampering their legitimate use.

Hoping that I may have enlisted your sympathy and with renewed thanks for your courtesy, I am,

Respectfully yours,

HOWARD LILIENTHAL.

DEMAND AMENDMENT OF PORTER NARCOTIC BILL IN SENATE

The House of Representatives, April 7 passed without amendment the Federal narcotic service reorganization bill—H. R. 11143—introduced by Representative PORTER March 26, and reported by the Committee on Ways and Means March 31. The Journal, April 5, advised physicians to protest to their representatives in Congress against the enactment of this bill unless amended; but it has been jammed through the House of Representatives in such short order as to make such protests ineffective. The bill should be amended in the Senate to authorize importation by accredited laboratories for use in research of the rarer derivatives of opium and coca leaves that are not manufactured in the United States. It is even more important that it be amended to require the Federal narcotic service to cooperate with the States in enforcing State laws relating to narcotic drugs. Without such an amendment the bill menaces the medical profession with a Federal narcotic dictator, who may assume charge of the practice of medicine so far as relates to the professional use of narcotic drugs. Forceful protests should be sent immediately to every Senator by telegram and by letter, so that he may not vote on this bill without full knowledge of the views of the physicians of his State. (J. A. M. A., April, 1930.)

[Reprinted from American Medical Association Bulletin, February, 1930, vol. 25, pp. 34-35]

A FEDERAL NARCOTIC DICTATOR

The Porter bills are before Congress and the papers of Mr. Hearst are actively supporting them. If the bill (H. R. 9054) introduced in the House of Representatives by Representative PORTER, of Pennsylvania, January 23, becomes a law, licenses from the United States Commissioner of Prohibition will be necessary to enable physicians to use narcotics lawfully in the practice of medicine. The commissioner is authorized by the bill to prescribe regulations governing the issuing, suspension, and revocation of licenses. He is not bound in any way by any license of any kind that any State may have issued. Since the proposed law is not inconsistent with the Harrison Narcotic Act and does not expressly repeal it, licenses from the Commissioner of Prohibition will not relieve physicians of the obligation to register annually with the Commissioner of Internal Revenue, to pay an annual narcotic tax, and to comply with all the conditions imposed by that act. What is true of physicians under the proposed law is equally true of dentists, veterinarians, and pharmacists.

Except for two limitations the authority of the Commissioner of Prohibition to control licenses under the proposed act is subject only to the right of the Secretary of the Treasury to approve or disapprove such regulations as the commissioner may propose and the right of the courts to review final action by the commissioner. No one who has ever been convicted of any offense against a Federal or State law relating to narcotic drugs, regardless of how trivial that offense may have been, may ever be licensed under the proposed act; if his license is revoked, its possessor can never thereafter use narcotic drugs professionally, for a new license can not be issued. A narcotic addict may not be licensed, and it is left to the commissioner to determine when a person becomes a narcotic addict and when he ceases to be one. The bill offers no other suggestions from Congress as to who may and who may not be licensed; what conditions are to govern the issue, suspension, and revocation of licenses; how long a period and how great an area a single license is to cover; what limitations are to be imposed on the character and amount of narcotic drugs that a licensee may use; what records are to be kept or what reports made. All these matters the commissioner is to determine and control by regulations.

It would seem that these stipulations would in themselves endow the commissioner with sufficient power, but there is more to come! If the commissioner is considering the rejection of an application for a license, he is not required to give the applicant notice of his supposed disqualifications. In suspending or revoking a license the commissioner does not have to give the licensee notice of the charges against him, if there are any. The commissioner merely calls on the applicant to show cause why a license should be issued, or calls on the licensee to show cause why his license should not be suspended or revoked; the burden of proof is on the applicant and the licensee. When the answer comes, the commissioner is to arrange for a hearing. This may be anywhere that the commissioner considers most practicable and convenient, in view not only of the place of residence of the applicant or licensee but also of the place where the evidence bearing on the case is most readily obtainable. The person who must defend his rights has no voice in determining the place of hearing, and no method is provided by which he can cause a hearing to be transferred. Whether the hearing shall be public or private is apparently left to the person who holds it. Any officer or employee of the Bureau of Prohibition may be assigned by the Commissioner of Prohibition to hold such a hearing.

The employees and officers assigned to conduct hearings and the Commissioner of Prohibition may issue subpoenas to compel the attendance and testimony of witnesses and the production of books, papers, documents, and other evidence. A subpoena so issued may apparently be served in any place under the jurisdiction of the United

States. The applicant or licensee who wants subpoenas compelling the attendance of witnesses and the production of evidence on his own behalf can get them only by telling the officer who is to hold the hearing what each witness will testify to. Then the officer determines the necessity for the subpoena before he issues it.

Although any employee of the Bureau of Prohibition may hold hearings, only the Commissioner of Prohibition may pass on the evidence. All evidence is to be recorded and forwarded to the Commissioner of Prohibition for final action. Even if the commissioner has never seen the applicant or the witnesses, he makes the decision. Provision is made for appeals to the courts from decisions rendered by the Commissioner of Prohibition, but no provision is made for suspending the operation of the commissioner's decision pending a decision by the court. Indeed, the rules to be followed with respect to appeals are vague and uncertain.

Supplementing this legislation, a companion bill was introduced by Representative PORTER on the same day. It proposes to transfer from the Commissioner of Prohibition to a proposed commissioner of narcotics all Federal functions with respect to narcotics now vested in the Commissioner of Prohibition. It proposes further to abolish the Federal Narcotics Control Board and to vest all authority and power of that board in the proposed commissioner of narcotics. The division of narcotics in the Bureau of Prohibition is to be magnified into a bureau of narcotics, under the supervision and control of the proposed commissioner of narcotics.

Certainly there is nothing to indicate that such a transformation would in any way increase the efficiency of narcotic control.

The legislation proposed is in complete harmony with the prevailing tendency to substitute a powerful bureaucracy in Washington for the authority of the States. If the Porter bills become law, a physician, dentist, veterinarian, or pharmacist authorized by a State to practice his profession can not use narcotic drugs in connection with his work until a Washington bureau chief, under rules and regulations of his own making, says that he may. Autocrats of such a type have no place in the American scheme of government. Efforts are already being made to bring about the early enactment of this legislation. Physicians and all interested organizations must protest at once against its enactment. Reach both Representatives and Senators even though the bill is not yet before the Senate. In the face of such a menace and with an understanding of the type of propaganda that will be behind the Porter bills, all the power that an intelligent people and particularly the medical profession can wield, must be mustered to the defense of the right of physicians and related professions to practice for the good of man without further bureaucratic molestation. (J. A. M. A.)

We, the undersigned members of the Schenectady County Medical Society, are opposed to the passage of the Porter bill and hope you will do all in your power to defeat this measure (H. R. 9054).

John D. Gulick, James M. Dunn, F. C. Reed, K. S. Clark, L. L. Lineweaver, A. N. Blatphall, I. Shapiro, J. M. W. Scott, Lester Betts, R. C. Taylor, J. E. Smith, A. E. Wells, W. L. Pearson, O. F. Park, H. Miller, J. H. Fallon, Hugo Gutmann, E. B. O'Keefe, John J. O'Brien, A. W. Breene.

CONTROL OF NARCOTICS

Mr. COPELAND subsequently said: Mr. President, this morning I placed in the RECORD sundry material relating to the Porter narcotics bill, H. R. 11143. The material I placed in the RECORD was in the form of letters from members of the medical profession.

I hold in my hand a letter which I have just received from Congressman PORTER making a reply to the criticism of the bill as found in the letters which I have placed in the RECORD. I ask that this letter from Congressman PORTER be included in the RECORD in connection with those letters which I placed in the RECORD this morning.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

COMMITTEE ON FOREIGN AFFAIRS,
HOUSE OF REPRESENTATIVES, UNITED STATES,
Washington, D. C., April 22, 1930.

Hon. ROYAL S. COPELAND,

United States Senate, Washington, D. C.

MY DEAR SENATOR COPELAND: I notice that you inserted in the CONGRESSIONAL RECORD to-day a few communications relating to H. R. 11143, a bill which I introduced and which was passed unanimously by the House of Representatives. After extended hearings this bill was reported unanimously by the House Committee on Ways and Means. It has the full indorsement of the State and Treasury Departments. On April 4, 1930, Secretary of the Treasury Mellon wrote to Chairman HAWLEY, of the Ways and Means Committee:

"In order to remove any possible misunderstanding as to the position of the Treasury with respect to the bill creating the bureau of narcotics, introduced by Congressman PORTER and reported by your committee (H. R. 11143), I assure you that the bill has my approval, and I

believe that its enactment will be a substantial step forward in the control of narcotics."

One communication you introduced in the RECORD is a reprint of an editorial appearing in the Journal of the American Medical Association. Another is from Dr. Howard Lillenthal, of New York. Doctor Lillenthal said, in part:

"Personally, I think it would be little short of a disaster to have any one person placed in charge of the professional use of narcotics by physicians."

It is evident that Doctor Lillenthal has been misinformed as to the purposes of this bill. The bill extends in no way whatever the authority of the Government over the professional use of narcotics by physicians. I have pointed this out in a letter to the editor of the Journal of the American Medical Association, which declared:

FEBRUARY 14, 1930.

EDITOR THE JOURNAL OF THE AMERICAN MEDICAL ASSOCIATION,

Chicago, Ill.

DEAR SIR: Needless to say I was astounded to read in the issue of February 8 of the Journal of the American Medical Association an editorial criticizing the antinarcotic bills I introduced in the House of Representatives on January 23, because I fully expected the whole-hearted support of the medical profession in my efforts to pass these bills.

Please believe, sir, that it is my earnest desire to protect the rights and privileges of the medical profession. The profession of medicine would be an unhappy calling, indeed, without narcotic drugs wisely and judiciously used in the treatment of disease.

Either through an inadvertence or through a complete misunderstanding of the purposes of the bills, the editorial conveys a decidedly erroneous impression of the purposes I am seeking to accomplish in attacking the abuses of habit-forming narcotic drugs.

The editorial is so filled with misrepresentations—not deliberate, I am sure—that I feel it my bounden duty to correct some of the misstatements it makes in order that the medical profession and the general public may not obtain a wrongful impression of the purposes of the proposed legislation.

I have introduced two bills. One is to create a separate and independent bureau of narcotics in the Treasury Department. The need for this separation of narcotic from prohibition administration and enforcement is so obvious and has been proposed in response to such widespread demands that further explanation is unnecessary. Who can doubt for a moment the wisdom of having a board of medical men, as proposed in the bill, advise on the amounts of narcotic drugs required for medicinal and scientific purposes? Under existing law the narcotic control board, charged with this very important duty, is composed of three men, one each from the Departments of State, Treasury, and Commerce, who are not members of the medical profession. I naturally assumed that the medical profession would be especially pleased with this provision of the bill, because for years it has been demanding representation on Federal boards where its interests are involved.

The second bill, which the editorial marked out for particular criticism, does but one thing—it authorizes the Government to deny licenses to any registrants under the Harrison Act who are habitually addicted to narcotic drugs or who have pleaded guilty or have been convicted of violating the narcotic laws.

The issue raised by the bill is clear and unequivocal. Under existing law a physician, dentist, druggist, or veterinarian may be hopelessly addicted to these drugs and still allowed to prescribe, administer, or dispense them, and one convicted of the grossest violation of the narcotic laws can, immediately after discharge from imprisonment, resume the prescribing, administering, or dispensing of these drugs. Shall this condition continue and add further to the misery and degradation of thousands of unfortunate American citizens? Certainly such a hideous privilege must be denied.

Nothing else is involved. The bill does not set up a dictatorial autocrat in Washington. It does not impose any additional fees; it does not require any additional narcotic records; it does not impose restrictions on honest practitioners not now required by the Harrison Act, save that the physician, dentist, druggist, veterinarian, or other registrant shall not be an addict or violator of the narcotic laws.

The legislation should have the whole-hearted support of the professions. It is not hostile to their interests. Rather, it fully protects their rights and privileges.

The bill takes away none of the rights of the conscientious practitioners in the bona fide use of narcotics in the practice of medicine. It does not superimpose on the Harrison Act any limitations whatever on the ethical administration of narcotics by physicians.

But the bill does strike at the few unscrupulous practitioners who are disgracing and degrading their professions, as has been so well pointed out in a newspaper article by Dr. William Gerry Morgan, president elect of the American Medical Association. In that article he declared he saw no reason why the medical profession may not be wholeheartedly behind this legislation. I am certain his views echo the sentiments of all the responsible physicians of the United States.

The editorial mentions that a "powerful bureaucracy in Washington" shall dictate the rights of physicians to prescribe narcotics. Nothing could be more alien to the truth, as a reading of the bill will convince the most partisan mind that it has been carefully drafted so as to prevent any semblance of bureaucracy. The proposed commissioner of narcotics must issue licenses to all registrants except those who are addicts or law violators. He is given no other authority. Full and impartial hearings under provisions which are eminently fair to the physicians are allowed. Further safeguard of the physicians' rights is provided by permitting an appeal to the courts from any decision of the commissioner. At all times the burden of proof lies upon the Government to establish that an applicant or licensee is an addict or a law violator—the only bar to the issuance of a license.

Congress is duty bound under the obligations of The Hague opium treaty to enact this legislation, as chapter 3, article 9, of that treaty, to which 52 nations are signatory, provides:

"The contracting powers shall enact pharmacy laws and regulations in such a way as to limit the manufacture, the sale, and the use of morphine, cocaine, and their respective salts to medical and legitimate users only, unless existing laws or regulations have already regulated the matter. They shall cooperate amongst themselves in order to prevent the use of these drugs for any other purpose."

The illegal dispensing or using of narcotics by addicts is not in conformity with medical requirements, and certainly, therefore, addicts should not be allowed to dispense or prescribe these drugs. On that there should be no dispute.

As the proposed legislation so jealously protects the medical profession, the honest, ethical, and law-abiding physicians of the United States have nothing to fear from this legislation.

On the contrary, I have already had sufficient indorsements from prominent physicians all over the country to know that they welcome it, not as an abridgment of their professional practice but as a great step forward in the humanitarian fight to curb abuses of narcotic drugs.

To clarify an apparent unfortunate misunderstanding I shall be happy if you will publish this letter in the Journal.

You may be assured that the medical profession will be given every opportunity to be heard when hearings are held. I am convinced that with a full understanding of the purposes of the legislation the profession will actively cooperate in its passage.

Very truly yours,

STEPHEN G. PORTER.

Another communication you introduced is an editorial from the Journal of the American Medical Association of April 19, 1930. It suggests that the bill should be amended as follows:

1. To authorize the importation by accredited laboratories for use in research of the rarer derivatives of opium and coca leaves that are not manufactured in the United States.

2. To require the Federal narcotic service to cooperate with the States in enforcing State laws relating to narcotic drugs.

Neither amendment is wise or necessary. The rarer alkaloids mentioned in the editorial can be manufactured in the United States, as attested by the following letter:

HUGHES, SCHURMAN & DWIGHT,
ATTORNEYS AND COUNSELLORS AT LAW,
100 Broadway, New York, April 8, 1930.

HON. STEPHEN G. PORTER,

House of Representatives, Washington, D. C.

MY DEAR MR. PORTER: It was very gratifying to receive your telegram advising of the passage by the House of your bill to create a separate bureau of narcotics. Please permit me to extend my most sincere congratulations, for you have done a fine public service in getting this bill so well along toward enactment.

Just this morning I received from Mr. Merck a copy of the editorial that appeared in the April 5, 1930, edition of the Journal of the American Medical Association. The opposition to your bill there voiced was apparently based upon its failure to order Federal cooperation with the States in the enforcement of narcotic laws and because the bill fails to permit the importation of so-called rare forms of narcotic drugs for the purpose of research.

As to the first objection, you can deal with this adequately. As to the second, this concerns the three manufacturers whom we represent, and on their behalf I want to acquaint you with the facts.

Mallinckrodt Chemical Works, Merck & Co. (Inc.), and New York Quinine & Chemical Works (Inc.), whom we represent, have at all times manufactured any salts or derivatives of crude opium which they have been requested to make, and they are still willing and able to do so. We do not know just what so-called rare salts and derivatives the Medical Association wants that it can not get. The only one specifically mentioned is papaverine, but it is manufactured in this country and is available for any proper use. Therefore, in the face of the facts, this cry for the importation of the so-called rare salts and derivatives seems entirely unwarranted.

If I can be of any further assistance to you, please do not hesitate to call upon me.

Very truly yours,

OSCAR R. EWING.

The second suggested amendment is entirely superfluous. There already exists the closest cooperation of Federal and State agencies in the enforcement of the antinarcotic laws.

I am at a loss to understand the attitude of the Journal of the American Medical Association, for, on March 7, 1930, Dr. William C. Woodward, legislative counsel for the American Medical Association, told the Ways and Means Committee:

"I am satisfied that putting this work under the charge of a commissioner of narcotics, appointed by the President by and with the advice and consent of the Senate, whether it be in the Treasury Department or somewhere else, will relieve us of some of the trouble that now arises through the division of narcotics in the Bureau of Prohibition."

"Mr. ESTEP. But in this bill do you find anything that will in any way harass or restrict the individual members of the profession in carrying out their work?"

"Doctor WOODWARD. Speaking personally, I will say no; and if I might be permitted to explain, I had agreed with Representative PORTER yesterday to make that statement to the committee—that this bill appeared to me personally as not being a bill that would interfere with the physicians, and that I was prepared to make that statement to our board of trustees."

The bill does not menace any legitimate interests but it does go a long way toward protecting the American people from the ravages of the illicit use of narcotic drugs.

Very sincerely yours,

STEPHEN G. PORTER.

MATERNITY AND INFANCY

Mr. COPELAND. Mr. President, I have a letter from Dr. James N. Vander Veer, president of the Medical Society of the State of New York, in opposition to the Jones-Cooper maternity bill. I ask that the letter may be printed in the RECORD and lie on the table.

There being no objection, the letter was ordered to lie on the table and to be printed in the RECORD, as follows:

MEDICAL SOCIETY OF THE STATE OF NEW YORK,

Albany, N. Y., April 18, 1930.

HON. ROYAL S. COPELAND,

United States Senator, Washington, D. C.

MY DEAR DOCTOR COPELAND: There is now pending before the Senate bill S. 255 relative to maternity and infancy, and as president of the medical society of this State I am writing you asking that you voice your opposition to the same, inasmuch as the medical profession in general through the United States is in opposition to the thoughtful and careful deliberation of the house of delegates of the American Medical Association.

The medical profession in general has been in opposition to the Jones-Cooper bill because it is a tendency in the direction which is in general opposed by medical men relative to the federalization and care of the sick through a policy which, if adopted, would become nation-wide and place in the hands of the Government the direction, care, and treatment of the sick, which it has been the experience of the profession in European countries as not serving the people as it would seem on its face to be to their best interests. Experience has taught us in the profession that such measures of police regulations and directions do not serve them as consistently and as well as the theory of such measures would warrant.

Therefore, I am directed to write and convey to you the impressions of the majority of the profession in this State.

Hoping that you can see your way clear to act in accord with the desires of the profession, believe me

Very sincerely yours,

JAMES N. VANDER VEER, M. D.

REPORTS OF COMMITTEES

Mr. SHORTRIDGE, from the Committee on Naval Affairs, to which was referred the bill (H. R. 389) for the relief of Kenneth M. Orr, reported it without amendment and submitted a report (No. 495) thereon.

Mr. TOWNSEND, from the Committee on Banking and Currency, to which was referred the bill (S. 4028) to amend the Federal farm loan act as amended, reported it without amendment and submitted a report (No. 497) thereon.

Mr. ODDIE, from the Committee on Post Offices and Post Roads, to which was referred the bill (S. 120) to authorize the President to detail engineers of the Bureau of Public Roads of the Department of Agriculture to assist the Governments of the Latin-American Republics in highway matters, reported it without amendment and submitted a report (No. 498) thereon.

Mr. BROCK, from the Committee on Military Affairs, to which was referred the bill (S. 465) to give war-time rank to retired officers and former officers of the United States Army, reported it with amendments and submitted a report (No. 499) thereon.

Mr. FRAZIER, from the Committee on Post Offices and Post Roads, to which was referred the bill (S. 3044) to amend section 39 of title 39 of the United States Code, reported it with amendments and submitted a report (No. 500) thereon.

Mr. PHIPPS, from the Committee on Post Offices and Post Roads, to which were referred the following bills, reported them each without amendment and submitted reports thereon:

A bill (H. R. 7395) to extend to Government postal cards the provision for defacing the stamps on Government-stamped envelopes by mailers (Rept. No. 501); and

A bill (H. R. 8650) to authorize the Postmaster General to charge for services rendered in disposing of undelivered mail in those cases where it is considered proper for the Postal Service to dispose of such mail by sale or to dispose of collect-on-delivery mail without collection of the collect-on-delivery charges or for a greater or less amount than stated when mailed (Rept. No. 502).

REPORT OF POSTAL NOMINATIONS

Mr. PHIPPS, as in open executive session, from the Committee on Post Offices and Post Roads, reported sundry post-office nominations, which were placed on the Executive Calendar.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. HAYDEN:

A bill (S. 4235) to prohibit the sending of unsolicited merchandise through the mails; to the Committee on Post Offices and Post Roads.

By Mr. McKELLAR:

A bill (S. 4236) to pay money-order cashiers the same compensation as postal cashiers; to the Committee on Post Offices and Post Roads.

By Mr. SHORTRIDGE:

A bill (S. 4237) for the relief of Hamilton Stone Wallace; to the Committee on Military Affairs.

A bill (S. 4238) granting a pension to Cora Edna Kuderski; to the Committee on Pensions.

By Mr. TYDINGS:

A bill (S. 4239) granting a pension to William H. Wheeler;

A bill (S. 4240) granting an increase of pension to Cornelia F. Grove (with accompanying papers); and

A bill (S. 4241) granting an increase of pension to George W. King; to the Committee on Pensions.

By Mr. CAPPER:

A bill (S. 4242) to fix the salaries of the Commissioners of the District of Columbia;

A bill (S. 4243) to provide for the closing of certain streets and alleys in the Reno section of the District of Columbia; and

A bill (S. 4244) authorizing the continuance of William Thindall in the service of the government of the District of Columbia; to the Committee on the District of Columbia.

By Mr. GOLDSBOROUGH:

A bill (S. 4245) for the relief of Thompson E. Woodward (with accompanying papers); to the Committee on Claims.

By Mr. CARAWAY:

A bill (S. 4246) for the relief of the city of Jonesboro, Ark.; to the Committee on Claims.

By Mr. BINGHAM:

A bill (S. 4248) authorizing the Secretary of War to convey the Fort Griswold tract to the State of Connecticut; to the Committee on Military Affairs.

A bill (S. 4249) to extend the duties and powers of the Bureau of Efficiency to include the governments of the insular possessions of the United States; and

A bill (S. 4250) to amend an act entitled "An act supplemental to the national prohibition act," approved November 23, 1921; to the Committee on Territories and Insular Affairs.

By Mr. BROUSSARD:

A bill (S. 4251) granting a pension to Amelia W. Ziegel; to the Committee on Pensions.

By Mr. GOFF:

A bill (S. 4252) for the relief of James L. Morris; and

A bill (S. 4253) for the relief of George L. Stone; to the Committee on Claims.

By Mr. SMOOT:

A bill (S. 4254) to provide for the compromise and settlement of claims held by the United States of America arising under the provisions of section 210 of the transportation act, 1920, as amended; to the Committee on Interstate Commerce.

By Mr. ROBSON of Kentucky:

A bill (S. 4255) for the relief of James E. King et al.; to the Committee on Claims.

A bill (S. 4256) to establish a national Lincoln museum and veterans' headquarters in the building known as Ford's Theater; to the Committee on the District of Columbia.

A bill (S. 4257) granting an increase of pension to Virgil Hamilton; and

A bill (S. 4258) granting an increase of pension to J. F. Prater; to the Committee on Pensions.

A bill (S. 4259) granting the consent of Congress to the Louisville & Nashville Railway Co. to construct, maintain, and operate a railroad bridge across the Ohio River at or near Henderson, Ky.; to the Committee on Commerce.

By Mr. BARKLEY:

A bill (S. 4260) for the relief of the American-La France & Foamite Corporation of New York; to the Committee on Finance.

ROAD TO CONFEDERATE CEMETERY AT FAYETTEVILLE, ARK.

Mr. CARAWAY. Mr. President, I introduce a bill asking for the authorization of \$820 to construct a road from the city of Fayetteville, Ark., to a cemetery that was purchased and laid out by the ladies of that town, in which are buried 940 Confederate dead, men who lost their lives in the Battles of Prairie Grove or Elk Horn Tavern. They came from the four States of Missouri, Texas, Louisiana, and Arkansas. They include most of the known Confederate dead in that community.

The cemetery has been well cared for; there are markers at the graves; and every dollar of that expense has been paid by the people living there. It is inaccessible, and I am hopeful that an appropriation may be made for the construction of a road under the direction of the Secretary of War.

Two generations have been born and lived since these brave men laid down their lives for their country's sake. Many of them are unknown.

As such they sleep in this cemetery, their graves cared for, and their memory kept green by the loving care of the patriotic ladies who in 1872 purchased this land and made it the resting place of these until God shall call them to life again.

The bill (S. 4247) to provide for the improvement of the approach to the Confederate Cemetery, Fayetteville, Ark., was read twice by its title and referred to the Committee on Military Affairs.

EXECUTIVE MESSAGE

Messages in writing were communicated to the Senate from the President of the United States by Mr. Latta, one of his secretaries.

HOUSE BILLS AND JOINT RESOLUTIONS REFERRED

The following bills and joint resolutions were severally read twice by their titles and referred as indicated below:

H. R. 14. An act to make The Star-Spangled Banner the national anthem of the United States of America;

H. R. 9674. An act to amend an act to parole United States prisoners, and for other purposes, approved June 25, 1910; and

H. R. 10198. An act to repeal obsolete statutes, and to improve the United States Code; to the Committee on the Judiciary.

H. R. 2156. An act authorizing the sale of all of the interest and rights of the United States of America in the Columbia Arsenal property, situated in the ninth civil district of Maury County, Tenn., and providing that the net fund be deposited in the military post construction fund, and for the repeal of Public Law No. 542 (H. R. 12479), Seventieth Congress; to the Committee on Military Affairs.

H. R. 2828. An act to protect trade-marks used in commerce, to authorize the registration of such trade-marks, and for other purposes; to the Committee on Patents.

H. R. 3717. An act to add certain lands to the Fremont National Forest in the State of Oregon;

H. R. 8763. An act to authorize the Secretary of the Interior to investigate and report to Congress on the advisability and practicability of establishing a national park to be known as the Apostle Islands National Park, in the State of Wisconsin, and for other purposes; and

H. R. 10581. An act to provide for the addition of certain lands to the Yosemite National Park, Calif., and for other purposes; to the Committee on Public Lands and Surveys.

H. R. 6127. An act to authorize the payment of checking charges and arrastre charges on consignments of goods shipped to the Philippine Islands; to the Committee on Territories and Insular Affairs.

H. R. 8881. An act to carry out the recommendation of the President in connection with the late-claims agreement entered into pursuant to the settlement of war claims act of 1928; to the Committee on Finance.

H. R. 10652. An act to authorize the Secretary of Commerce to purchase land and to construct buildings and facilities suitable for radio research investigations; and

H. R. 11046. An act to legalize a bridge across the Hudson River at Stillwater, N. Y.; to the Committee on Commerce.

H. R. 10960. An act to amend the law relative to the citizenship and naturalization of married women, and for other purposes; to the Committee on Immigration.

H. R. 11704. An act to amend the air mail act of February 2, 1925, as amended by the acts of June 3, 1926, and May 17, 1928, further to encourage commercial aviation; to the Committee on Post Offices and Post Roads.

H. J. Res. 243. Joint resolution authorizing an appropriation to defray one-half of the expenses of a joint investigation by the United States and Canada of the probable effects of proposed developments to generate electric power from the movement of the tides in Passamaquoddy and Cobscook Bays; and

H. J. Res. 270. Joint resolution authorizing an appropriation to defray the expenses of the participation of the Government in the Sixth Pan American Child Congress to be held at Lima, Peru, July, 1930; to the Committee on Foreign Relations.

INTERNATIONAL CONFERENCE ON THE UNIFICATION OF BUOYAGE AND LIGHTING OF COASTS (S. DOC. NO. 134)

The VICE PRESIDENT laid before the Senate the following message from the President of the United States, which was read, and, with the accompanying papers, referred to the Committee on Foreign Relations and ordered to be printed:

To the Congress of the United States:

I commend to the favorable consideration of the Congress the inclosed report from the Acting Secretary of State, to the end that legislation may be enacted to authorize an appropriation in the sum of \$4,500 for the expenses of participation by the United States in an International Conference on the Unification of Buoyage and Lighting of Coasts, to be held in Lisbon October 6, 1930.

HERBERT HOOVER.

THE WHITE HOUSE, April 22, 1930.

CALL OF THE ROLL

Mr. HEFLIN obtained the floor.

Mr. FESS. Mr. President, will the Senator from Alabama yield to enable me to suggest the absence of a quorum?

The VICE PRESIDENT. Does the Senator from Alabama yield for that purpose?

Mr. HEFLIN. I yield.

Mr. FESS. I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Allen	George	Kendrick	Simmons
Ashurst	Gillett	Keyes	Smoot
Baird	Glass	La Follette	Steak
Barkley	Goff	McCulloch	Steiner
Bingham	Goldsborough	McKellar	Stephens
Black	Gould	McNary	Sullivan
Blaine	Greene	Metcalf	Swanson
Blease	Hale	Norbeck	Thomas, Idaho
Borah	Harris	Norris	Thomas, Okla.
Brock	Harrison	Nye	Townsend
Broussard	Hastings	Oddie	Trammell
Capper	Hatfield	Overman	Tydings
Caraway	Hawes	Patterson	Vandenberg
Copeland	Hayden	Phipps	Wagner
Couzens	Hebert	Pine	Walsh, Mass.
Dale	Hefflin	Ransdell	Walsh, Mont.
Deneen	Howell	Robinson, Ind.	Waterman
Dill	Johnson	Robson, Ky.	Watson
Fess	Jones	Shipstead	Wheeler
Frazier	Kean	Shortridge	

Mr. WALSH of Montana. I announce that the senior Senator from Texas [Mr. SHEPPARD] and the junior Senator from Texas [Mr. CONNALLY] are absent attending the funeral services of the late Representative Lee, of Texas. They will probably be absent until Thursday.

I also wish to announce that the Senator from Florida [Mr. FLETCHER], the Senator from Utah [Mr. KING], and the Senator from South Carolina [Mr. SMITH] are all detained from the Senate by illness.

I further desire to announce that the Senator from Arkansas [Mr. ROBINSON] and the Senator from Pennsylvania [Mr. REED] are in London attending the naval conference.

Mr. NORBECK. My colleague [Mr. McMASTER] is unavoidably absent from the city. I ask that this announcement may stand for the day.

Mr. SHIPSTEAD. I wish to announce that my colleague the junior Senator from Minnesota [Mr. SCHALL] is unavoidably absent. I will let this announcement stand for the day.

The VICE PRESIDENT. Seventy-nine Senators have answered to their names. A quorum is present.

THE POLITICAL SITUATION IN ALABAMA

Mr. HEFLIN. "Know the truth, and the truth shall make you free."

Mr. President, I shall speak principally to the Democrats of Alabama, but what I shall say will be of interest to every true American.

Thomas Jefferson, former President of the United States, author of the Declaration of Independence, and father of the Democratic Party, has taught us that the preservation of free government in America depends upon the action of the citizen who votes his or her conscientious convictions. He insisted that if the voters get "the truth" regarding the issues involved in any election, they will render the proper verdict with their ballots.

Washington, the father of the Republic, warned us against blindly following a dangerous and corrupt party leadership, a leadership that would wander off after false political gods and abandon the things that the party was intended to protect and preserve.

My appeal is to all Democrats—those who supported Smith and those who supported Hoover. The issues presented in the last presidential election were not only complicated, confusing, and disagreeable, but very embarrassing to four-fifths of the Democrats of Alabama. Thousands of Democrats in our State voted for Smith because they decided to go along and vote for him and "be regular," and I have never criticized them for doing that. Thousands of Democrats in the State voted against him because they decided that it was best for the party and best for the country to defeat him. Both groups of Democrats did what they felt they should do under the circumstances. They were dealing not only with an unfortunate but with an extraordinary national political situation, different from any that we had ever had before, and the State committee of Alabama should have handled the matter with a fine and magnanimous consideration for those lifelong Democrats who could not conscientiously support Smith, just as practically all of the Democratic State committees of the other Southern States have done.

As I said in my speech at Anniston on February 14, 1930:

If the truth regarding Governor Smith's record in the legislature and in the constitutional convention of New York and as governor of that State had been put in the hands of every Democratic voter in Alabama, as was done in Maryland, Virginia, North Carolina, Texas, Tennessee, Kentucky, and Florida, I do not believe that he would have received 25,000 votes in the State.

Certain subsidized newspapers in Alabama did everything in their power to keep "the truth" from reaching the voter. And the truth about Smith was suppressed in wet Catholic-controlled newspapers in our State. I said:

Those Democrats who did not know the whole truth about Smith's record should not be blamed for supporting him, and those who did know the truth about his record should not be blamed for opposing him.

SMITH FIRST TO BOLT IN 1928

The Roman Catholic Democrats bolted Wilson in 1916 and tried to defeat him for President because he would not go to war with Mexico in behalf of the Roman Catholic Church. I knew that Governor Smith had bolted the Democratic platform, upon which he had been nominated in 1928, just as the Catholics had bolted Wilson, and that he had gone out of the Democratic Party and appointed Raskob, a wet Roman Catholic Republican, chairman of the Democratic National Committee, and I felt that in view of my knowledge of Governor Smith, the things he stood for, and the dangerous "alien forces" back of him, that it was my duty to oppose him, and I did so.

Now, may I not in all fairness inquire, Are more than a hundred thousand Democrats in Alabama, your neighbors and mine, life-long members of the Democratic Party, who refused to support Smith, to be offended, penalized, and punished, treated as though they were convicts, under instructions from the Roman-Tammany bunch in New York? Are our dear old Confederate veterans, the few that are left among us, and our brave Spanish-American War veterans and our heroic World War soldiers who opposed Smith to be humiliated and punished by "this new, long-distance, Roman-Tammany power in Alabama politics" and denied their sacred rights and privileges in the house of their Democratic fathers? Is our party management in Alabama to be under "carpet-bag rule," emanating from Tammany Hall in New York City?

I have had many letters from Democratic friends who voted for Smith and who are supporting me whole-heartedly for the Senate and they say that thousands of men voted for Smith whose wives, sons, and daughters, and sons-in-law voted for Hoover. I had a letter yesterday from one of them who said that while he had voted for Smith in order to be regular that his wife and son had voted for Hoover. He said that he knew of many Democratic families in his county that were divided like that and that he had heard of families in various parts of

the State that were divided like that in the presidential election of 1928, and that the general feeling among nearly all of such Democratic families was—

If we can't all go in at the front door of the primary and take our Democratic wives and sons and daughters in with us like they are doing in other Southern States, we won't go in the primary set up by the "twenty-seven" at the instance of the Smith-Raskob-Tammany régime.

GOVERNOR SMITH'S POSITION ON THE NEGRO QUESTION

When Governor Smith was a member of the Legislature of New York State he voted for a bill which compelled all white hotel proprietors and white restaurant proprietors to admit and serve in their establishments both whites and negroes on equal terms. While in the Legislature of New York he was instrumental in helping to defeat a bill which would have prevented in New York State the shocking and nauseating practice of marriage between whites and negroes. His position on those two measures marked him as the enemy of the white supremacy doctrine of Alabama and the South. While he was Governor of the State of New York, negro Democrats, so-called, members of the Smith-Roman-Tammany organization, were permitted to marry white women who had come in from certain foreign Catholic countries. You can go to New York and see them now, the disgusting and sickening fruits of Roman-Tammany-Democratic rule. What a shocking and shameful brand of "Democratic rule."

EDITOR EDMONDS'S SERIOUS CHARGE NEVER DENIED

While Smith was Governor of New York and during his campaign for the Presidency the Manufacturers Record, published at Baltimore by that able and distinguished southerner, Richard H. Edmonds, carried a statement which was never denied—that dance halls were being operated in New York City every night in the week where "negro men danced with white women" and "white men with negro women." The same dance halls, with the same shocking and disgraceful performances, are being operated in New York City to-day, under so-called Democratic-Tammany rule. I know that none of you believe in that brand of "Democracy." God help us to free the party from such control. And yet the Tammany-controlled "27" members of the Alabama State committee would at the instance of the Roman-Tammany leaders punish white Democrats of the South who "knew these things" at the time they declined to support Smith.

Those leaders are seeking to compel all Democrats in the South to take their hats off to this new "Roman-Tammany rule," surrender their convictions and become obedient servants of the Roman-Tammany brand of Democracy. The State Democratic committees of the other Southern States refused to take orders from Tammany. They wanted to unite the party and provided a fair-for-all old-fashioned Democratic primary. The Roman-Tammany leaders are seeking now to compel Alabama Democrats to surrender their principles and support the principles laid down by Tammany. I decline to do it.

During the presidential campaign in 1928 the New York World, a strong supporter of Governor Smith, knowing his position on the negro question and seeking to turn it to good account with the negro vote boldly proclaimed that Governor Smith was for "social equality." I read that statement in the open Senate. I requested Governor Smith, in a speech from the floor of the Senate, to tell me and to tell southern Democrats whether or not he believed in "social equality." He never has said and he will not "now" say that he is not in favor of "social equality." Senator BLEASE, a Democrat from South Carolina read a newspaper statement on the floor of the Senate which charged that Governor Smith, in an effort to get the negro vote, had promised, if elected President, to put a negro in his Cabinet. In a speech in the Senate I called upon Governor Smith to tell me and the Democrats of Alabama and to tell the South and the country whether he had made "such a promise" and whether or not, if elected President, he would place a "negro" in his Cabinet. He has not answered yet. If he had answered and told the truth he would not have carried a single Southern State.

The newspaper statement read by Senator BLEASE in the Senate charging that Smith would put a negro in his Cabinet stands to "this day" unanswered.

HOOVER EXPLAINED POSITION ON NEGRO QUESTION—SMITH DID NOT

I criticized and condemned Mr. Hoover in the Senate for having negro and white employees of the Commerce Department placed in the same division while he was Secretary of Commerce. Later, after he had been nominated for President, a report was circulated in Alabama to the effect that if Hoover was elected President he would appoint negro postmasters in our State and in other Southern States. During the presidential campaign in a speech in Tennessee, Hoover denied the charge, and the truth is he has not appointed any negroes to office in the South.

During the presidential campaign in 1928, a high public official in Mississippi gave publicity to a report that Mr. Hoover had attended a negro dance and had danced with a negro woman. Mr. Hoover immediately denounced the statement as false and the man who gave utterance to the charge retracted it. I mention this to show that Hoover who comes from the West and who was running as a Republican answered the charges made against him during the campaign about what he had done or would do concerning certain phases of the negro question, while Smith coming from the East and running as a Democrat had failed and refused all during the campaign and to this day to say how he stood or how he stands on any phase of the "negro question."

When charged with being an "advocate of social equality" and with having promised, if elected, to "put a negro in his Cabinet," he either ignored or deliberately defied the whole group of southern Democrats who believe in "white supremacy," because he flatly refused to say anything whatever on the subject. Think of a man calling himself a "Democrat" being on the "Democratic ticket" for President holding such views on the "negro question" that he dare not let the Democratic advocates of "white supremacy" in Alabama and elsewhere "know his real position" on the "negro question." Taking into consideration the negro problem as we have it, is it good policy or is it wise from our southern Democratic point of view to permit a State committee, serving for only a brief time, to offend, stigmatize, and seek to destroy Alabama Democrats who, knowing the truth of Smith's record on "this subject," declined to support him for President of the United States?

Would it not be better for all Democrats who believe in Democratic principles to see to it hereafter that "no candidate" who believes as Smith does on social equality is ever "nominated again" by the Democratic Party? The well-laid Roman-Tammany plan is to nominate Smith again, and the leaders, who have reached their hands into Alabama, boast that they will put me out of the Senate before that fight comes on in 1932.

ROMAN CATHOLIC PLAN TO CONTROL NEGRO VOTE

Nobody denies that the leaders of the Roman Catholic political group in the United States are making a persistent, determined, and desperate effort to get the negro vote under the control of "the Roman Catholic political machine," and the first step is to get the negro in the Catholic Church. Their leaders have pointed out that the Roman Catholics can soon control the United States through "unrestricted immigration," which would permit the coming in of Catholics in "unlimited numbers" from various Catholic countries and through the control of the Indian vote and the negro vote in certain States.

The national leaders of the Roman Catholic group admit that they permit and indorse mixed Catholic parochial schools, where white children and negro children sit side by side in the same schoolroom, with both white and negro Catholic teachers. They admit that they permit and indorse the practice which allows white and negro Catholics to attend the same Catholic Church and worship together, and approve marriage between whites and negroes, and under the Roman Catholic plan there are places where white women "confess" to negro Catholic priests.

CATHOLIC ORGAN ADMITS SERIOUS CHARGES ON NEGRO QUESTION

The Roman Catholic political machine is seeking "power" to help "carry forward" the Roman plan and purpose in the United States, and "the weekly Roman periodical" published in New York City, called "America," of February 22, 1930, a Roman Catholic mouthpiece, in substance says, editorially, that it has wiped out all lines of distinction between negro and white Catholics, and says that when "Senator HEFLIN stated in the Senate that the Roman Catholic group permits white and negro Catholic children to attend the same Catholic schools and sit side by side in the same schoolroom, and permits white and negro Catholics to attend the same church at the same time and worship together, and approves marriage between white Catholics and negro Catholics, he tells the truth."

So there is another admission by a Roman Catholic editor of a noted Roman Catholic paper that I told the "truth" about that. That admission is further evidence of the Roman Catholic purpose to control "the negro vote." They are showing him what their position is on the "negro question," and seeking through any means and every means possible to induce more negroes to come in under the direction and control of the Roman Catholic political organization.

The only two Democratic Presidents that we have had since the war between the States—Cleveland and Wilson—both denounced and repudiated Tammany. They characterized it as the most unscrupulous and corrupt political organization in the United States. Bryan denounced it as the most tyrannical and venal political organization in the country.

HERE IS SOME OF THE PROOF OF THE ROMAN-TAMMANY PLAN AND PURPOSE TO CONTROL THE NEGRO VOTE

Since the presidential election in 1928 the Democratic Congressmen from Tammany voted "to cut down the South's representation in Congress" because a certain New England Republican claimed that the Democratic South had discriminated against the Negro. Just recently one of these Democratic Members of Congress from Tammany—Mr. GAVAGAN, a Roman Catholic, Knight of Columbus—appointed two negro boys to the United States Naval Academy. And just the other day The Crisis, the leading negro paper in the United States published in New York City, said editorially:

We are still chuckling merrily over TOM HEFLIN and the Alabama election. To see this apostle of race purity outside the breastworks of the white primary fills us with keen enjoyment.

This negro paper strongly supported Mayor Walker, the Roman-Tammany candidate, for reelection as mayor of New York City. The following excerpts are taken from the negro campaign book used in 1929 in the campaign for the reelection of Mayor Walker:

PUBLISHED AND ISSUED BY THE COLORED CITIZENS' NONPARTISAN COMMITTEE FOR THE REELECTION OF MAYOR WALKER

(From an address by Tammany negro civil-service commissioner, Ferdinand Q. Morton, who has a white secretary)

"Only a little more than 10 years ago, with the exception of a few school-teachers, there were in the public employ scarcely more than 100 colored citizens and the majority of those were laborers. Compare this meager number with the more than 2,200 colored city employees to-day and the \$200,000 then being drawn by colored employees from the city treasury, with the nearly \$4,000,000 now being paid to them by the city annually."

Colored children and colored teachers in the public schools, colored doctors, nurses, and patients in the city hospitals are all treated with "exact equality."

The intelligent and courageous use of his suffrage imperatively requires that the colored voter give his support to the administration of Mayor Walker.

This happy state of affairs should continue to obtain, but the only assurance of that lies in the reelection of the present Democratic city administration headed by Mayor James J. Walker. A vote for Mayor Walker in the coming election means a vote for an administration that has "actually gone out of its way" to make New York City the finest spot in America for the negro.

SCHOOL SYSTEM

Here the very highest standards are maintained, and what is far more important to the colored citizen, negro children are given absolutely the same instruction and consideration as other children and occupy the same classrooms.

MAYOR WALKER'S TAMMANY HOSPITAL POLICY

The Walker administration has shown "unusual" and commendatory solicitude for the negro citizen. Harlem Hospital affords a spectacle to be seen "nowhere else in the United States." Negro physician and white physician, colored nurses and white nurses work side by side upon terms of equality. Doctor Schroeder, the Walker administration's new commissioner of hospitals, recently made public announcement of the fact that at the "mayor's direction" equal opportunity is to be afforded for the training of colored nurses, and that all hospitals under the city's control are to be "thrown open to all persons alike without regard to race or color, whether physicians, nurses, or patients. Every negro voter, by reason of this fact alone, ought to cast his ballot for the reelection of an administration with such a policy."

WALKER, THE TAMMANY MAN, APPOINTED MORE NEGROES THAN ANY OTHER MAYOR

Notice the tremendous percentage of increase of colored employees as compared with the total percentage increase of all employees. These are the cold facts. The intelligent negro voter can arrive at but one conclusion after a perusal of these figures: That Mayor James J. Walker should be reelected on his record.

Next we present an analysis of the average total salaries and the average salary of colored employees for 4-year periods since 1917. It is immediately seen that during the administration of Mayor James J. Walker the total salary of negro city employees has increased over \$4,700,000, or almost threefold.

THIS INCREASE WILL CONTINUE

The number and percentage of colored city employees will continue to increase and the average wage will rise. The city administration attended to that "when Mayor James J. Walker recently reappointed Ferdinand Q. Morton one of the three members of the civil service commission for the regular term of six years." Since then the number of colored employees has been vastly increased. With the Walker administration behind Mr. Morton we can expect to see "more and more

negroes" receiving various city positions. It is up to the negro voter to do his part by standing by the Walker administration."

The foregoing list of salaries of negro city employees and the number receiving each is a graphic illustration of what the Democratic administration has meant to negro Harlem. The list grows longer month by month. As further and conclusive evidence of the fact that the administration of Mayor James J. Walker has been unusually fair and liberal in the placing of colored city employees we submit the following table showing the number of colored employees appointed each year since 1895. It is significant that over half these appointments have been made during the administration of Mayor James J. Walker.

Am I to be punished because I refuse to surrender my Democratic principles and accept the Roman-Tammany social equality brand of Democracy? That disgusting, sickening stuff in favor of Mayor Walker, the Tammany Democrat (?), reads more like the campaign material used in the old days to elect the old-time carpetbag Republican.

The Roman-Tammany political bunch is the "deadly enemy" of the South's doctrine of "white supremacy." I regret to have to say that that Roman-Tammany bunch in New York will do anything, sacrifice any principle, to push forward its Roman program in the United States. Will the "27" members of the State committee in Alabama be permitted to put loyalty to the Tammany candidate for President above loyalty to the Democratic Party and its noble principles in Alabama?

I knew of Governor Smith's "position" and of the Roman-Tammany political machine's "position" on the "negro question" when I opposed him in 1928, and while I could not support Smith, I did support the Democratic State, district, and county ticket from top to bottom. I have had hundreds of Democrats in Alabama who supported Smith to tell me or to write me since the election of 1928, and thousands of others feel the same way, that if they had been in my place and had the facts that I had they would have opposed Smith just as I did.

DANGER SIGNALS

The political program of the Roman Catholic leaders in the United States as I have described it, if "insisted upon," means "serious trouble." It means trouble between the Protestants and Jews on the one hand who want to preserve the "American Government," and those Roman Catholics on the other hand who would change it and set up the "Roman Catholic Church government" in its place. The colonial fathers fought to create this great American Government, and every American worthy of the name "American" will fight if need be to "preserve it" in its "true American form." The evil that I am warning my country against and the kind of trouble that I am seeking to avoid in the United States has caused more bitterness, persecution, bloodshed, and war through the ages than any other thing.

The program that is quietly but persistently attacking and seeking to undermine the free institutions of America in favor of another form of government is a deadly program to "free government" in America. As I said at Anniston, I am a strong believer in religious freedom. I want everybody to have the religion of his or her own choice. I want Protestant, Jew, and Catholic and all to worship God according to the dictates of their own consciences. I am not attacking the individual Catholic or his method of worshipping God. The priests and Roman Catholic newspapers teach Catholics that I am attacking their religion. They do that in order to keep the real, patriotic Catholic from getting the force of my appeal to "all Americans" to preserve the American Republic. I want all Catholics to worship just as they choose to worship, but I am against the "political beliefs" and "political activities" of the "Roman Catholic political machine" as I know them and as I have shown them to be, because they mean "death to democracy in America" and "death" to American ideals and institutions. The "Roman Catholic" theory of "government" has always been and is to-day deadly to human liberty and free institutions. Certain Roman Catholic leaders "hate me," as they hated Senator Tom Watson, of Georgia, because I am uncovering and bringing to the attention of the American people positive evidence of their far-reaching and dangerous "political activities." The same kind of activities that have destroyed free government in other countries.

AMERICA IS WEDDED TO DOCTRINE OF SEPARATION OF CHURCH AND STATE

One of the fundamental principles of our great American Government and "the one" upon which its continued existence depends is the "separation of church and state." And yet I have discovered within the last three years and have brought it to the attention of the Senate and the country that the Roman Catholics are teaching in their "parochial schools" in every State in the Union that the proper form of government is the "union of church and state." The Pope and Mussolini would

not permit Protestants and Jews for even a day to teach in Italy the American doctrine of "separation of church and state." This Roman Catholic doctrine of "union of church and state" is now and always has been a deadly doctrine to free government like ours.

THE PEOPLE OF THE UNITED STATES STAND FOR RELIGIOUS FREEDOM

Plans and programs that antagonize our American form of government are gradually being forced upon us and they must be met. The question involved in it all is, Shall this Government continue in the years to come to remain truly an "American Government" or shall it in some "evil and unsuspecting hour" become a "Roman Catholic government under a Roman Catholic Pope and king?" The Roman Catholics here would do well to do as the Episcopalians did in other days. They cut loose from the Catholic Church for conscience sake and for their country's good, and declared for "the liberty of conscience" and the "separation of church and state." The Episcopalians know that the doctrine of "union of church and state" is wrong and contrary to the doctrine of free government in America and deadly to our "free institutions" and they abandoned it.

I am hoping and praying that there will be found enough patriotic Roman Catholics in the United States who will refuse to follow the political program of the Roman Catholic political leaders who make bold to announce their purpose when they are able to do so to substitute for our "American Government" the "Roman Catholic government." It is the duty of every Roman Catholic in the United States who appreciates and wants to preserve our American Government to publicly repudiate and abandon the political program of Doctor Ryan, an appointee of the Catholic king. He is a professor in the Roman Catholic University of America here in Washington, and his program appears in his recent Catholic book called "The State and the Church," and in it he boldly says that when the Roman Catholics are "strong enough" they intend to set up the "Roman Catholic government here in the United States." I feel that if the Roman Catholic youth of the country and their fathers and mothers could truly realize just "what in time" that "political Roman program means" they would take the steps necessary now to help us keep the American Republic as it is to-day, a government of the people, by the people, and for the people, where everyone can worship God according to the dictates of his or her own conscience. Let the Roman Catholics in the United States abandon the things that are in conflict with free government in America and establish an American church.

AMERICA IS FOR FREE PRESS

Roman Catholic authorities teach Catholics in America that it is not only right and proper, but their duty to "boycott" newspapers and "put out of business" all papers that criticize and point out the dangers in the "Roman Catholic program" to the Government of the United States. Just think of that! So they are against the "American position" on the "free press." In the States where Roman Catholics are in large enough numbers compared to the Protestants and Jews, they not only try to prevent American citizens from obtaining a hall in which to speak in opposition to the Roman Catholic program, but if the speaking is arranged in spite of them they frequently send their agents to the meeting to interfere with "free speech" and attempt to do physical violence to the speaker who dares to stand up as an American and oppose the Roman Catholic program in the United States. I know from personal experience, and when I, as a United States Senator, commenced to oppose their program for war with Mexico, I was amazed to find this "un-American spirit" so persistently and "secretively" moving about right here in the Government of the United States. I must confess that when I attacked the Roman Catholic program for war with Mexico that I discovered things—plans and programs that I never dreamed of—plans and purposes of the leaders of Roman Catholics in the United States.

THE AMERICAN BOY AND GIRL AND THE PUBLIC SCHOOL

You all know that one of the fundamental principles of our great American Government is that no religious group—Roman Catholic, Protestant, or Jew—can compel the people to pay taxes to support their church schools or any other sectarian school. You can only tax the people to carry on "the great American public school" which is the citadel and stronghold of American liberty. The Roman Catholic "political machine" is the deadly enemy of the American public school, and because I have called attention to their un-American activities, regarding this and other things, they have reached into Alabama and demanded of the State committee that I be struck down and destroyed, politically.

A TREE IS KNOWN BY ITS FRUITS

In 1915 Governor Smith, a Roman Catholic, was a delegate in the constitutional convention of New York State, and he introduced an amendment in that convention to change the constitution and require that the public-school funds be "divided" between the "Roman Catholic schools" and the "public school" in the State of New York. True Americans were on guard and his amendment was defeated, but the Bible tells us that "By their fruits ye shall know them," and we got an idea of Alfred Smith's thought and of the "Roman Catholic" thought and purpose in the United States in the amendment that he introduced. It was an effort to plant that doctrine in the United States—to have the Government "commit itself" to the support of Roman Catholic schools and to compel Protestants and Jews to pay taxes to support such schools. It was an attack upon the American public-school system and was an undemocratic and an un-American act. Governor Smith did not hesitate in that instance to try to use the government of the State of New York to put into the constitution of that State the program of the Roman Catholic hierarchy.

AGAIN I SAY, "BY THEIR FRUITS YE SHALL KNOW THEM"

In Brockton, Mass., on the night of March 18, 1929, I had addressed 1,600 Protestants and Jews—all Vasa Hall would hold—who, at the close of my speech, stood in solid mass indorsing my address on the "Dangers that Threatened the American Government." When I, an American citizen and a United States Senator, was leaving the hall as the automobile in which I rode passed through a large group of rowdy and insulting Roman Catholics who had waited all the while on the outside, "sent there" by Roman Catholics "higher up" to insult and attack me, one of their number threw a deadly missile directly at me in the car. I did not know of this occurrence until I saw it in the newspaper the next morning. A Protestant policeman, walking beside the car seeking to protect me from violence of any kind, was struck in the head by the Catholic missile intended "for me" and knocked unconscious. This was in Massachusetts and within 30 miles of Plymouth Rock where the Pilgrim Fathers landed. Just think of that! and neither Smith nor Raskob or any other Catholic leader in the United States, either in church or state, has to this day condemned that un-American and cowardly conduct. So "they are against" free speech and peaceful assemblage for all those who oppose their Roman Catholic program and purpose in this country.

This is only one of many instances where Roman Catholics interfered with "free speech" where I was speaking in opposition to the Roman Catholic plan to use the United States Army to fight the Pope's battles in Mexico, and opposing the "Roman Catholic political program" in the United States. Just think of this hostile alien influence being bold and brazen enough to seek through intimidation and "physical violence" to suppress "free speech" in the United States!

Are they to be encouraged in this and the American who opposes it to be rebuked and punished? I called attention to their un-American attitude and I cited instances where at that very time Roman Catholics were busy inviting Protestant and Catholic United States Senators to go out into the States and address the Roman Catholic Knights of Columbus and other Catholic groups in Northern States and paid their expenses and a fee for their lectures, just as my expenses and a lecture fee was paid by various patriotic Protestant organizations—Masons, Junior Order of American Mechanics, Klansmen, and others—who opposed war and who desired to know the "truth" as to what really happened in the Senate when I led the fight which resulted in the defeat of the Roman Catholic program for war with Mexico. The Catholic-controlled press and that portion of it which is afraid of the "Roman Catholic power" in the United States misrepresented me and what I said in the Senate. They were seeking to discredit and destroy me.

MY POSITION ON THE ROMAN CATHOLIC PROPOSED WAR WITH MEXICO

Then calls for me to come and speak came from patriotic Americans in several States in the Union, and it was then the "Roman Catholic political machine" which had kept the newspapers from taking the points in my speeches in the Senate to the country, sought to frighten me "personally" and make me afraid to oppose the Roman Catholic program in the United States, so that I would not dare to go out and speak in my own country where Roman Catholics had threatened to use "physical force and violence" to prevent me from speaking in behalf of our "American boys" and in defense of "American institutions," and in opposition to the "Roman Catholic program for war with Mexico." I said, "You will not use American boys to fight the Roman Catholic Pope's battles in Mexico. You will not kill a single Alabama boy or any other American boy to restore the Pope to power in Mexico!"

The Roman Catholic Knights of Columbus in the United States had raised just prior to that time, at their national convention in Philadelphia, a "million dollars" to carry out their Mexican war program. And they had Roman Catholic speakers going all over the country then advocating the Roman Catholic Mexican program, and Protestants and Jews in various States who did not want war with Mexico wanted me to come and present the other side of the question. That is when Roman Catholics sought strenuously to frighten me and to prevent me from going into the States and speaking in opposition to the Roman Catholic program.

As I have said, nobody interfered at any place with the Roman Catholic speakers, but when thousands of Americans turned out to hear me, a Protestant United States Senator in a Protestant country, in opposition to their Roman program, it disturbed and irritated them and they interfered in various ways and threatened to "murder me" if I did not cease to make speeches against their program in America.

Think of such a thing happening right here in the United States of America! If such as that is to be tolerated, what will America be 25 years from now?

I called attention to those threats in the Senate, and no Catholic leader or Catholic newspaper in the United States has to this day ever criticized or condemned the un-American and cowardly conduct of those Roman Catholics who sought to prevent an American Senator from going anywhere in the United States and saying what he felt he ought to say. In spite of their threats to murder me and in spite of their efforts now being made to destroy me politically in Alabama, I shall continue to protect and safeguard our American institutions.

STOOD FOR WELFARE AND PRESERVATION OF MY COUNTRY

Because I have stood for the welfare and preservation of my own country certain Roman leaders have been for months devising ways and means to prevent me from even being a candidate in the Democratic primary in Alabama to succeed myself in the Senate, and the story of "visits" to New York by "certain persons" in Alabama who hope to "benefit" by striking me down politically will be of interest in due time to the people of our State.

There is no doubt that the Roman-Tammany political machine, well oiled financially, is operating in Alabama to carry out the "papist plan and purpose" to remove me from the Senate. It is "running true to form." A prominent Roman Catholic leader has said that the day will come in the United States when no man will sit in either branch of Congress who does not have the indorsement of the Pope. That machine has sought "through the ages" in "one way or another" to "put out" of the way those who have dared to oppose the Roman Catholic political program.

If God raises up a public man anywhere who discovers what certain Roman Catholic leaders "are doing" and who in spite of their opposition and threats calls attention to it, they go to work "secretly" to destroy him. They move "secretively" and "noiselessly" around, "reaching" and "influencing" those who are in "position to serve them," just as it is said they did with some of the "27" on the State committee in Alabama.

The fact that the Democratic committees of Virginia, Kentucky, Tennessee, Mississippi, North Carolina, Georgia, and Florida, our sister States, are inviting all Democrats regardless of how they voted in 1928 to participate in the primary of 1930 naturally causes the clean, courageous, and honest "Alabama Democrat" who loves the State and wants to see fair play and party harmony to ask, "Why did the '27' members of the Alabama State committee set up a different rule in Alabama—a rule that would deny more than a hundred thousand Alabama Democrats the right to be candidates for district, State, or Federal office and that would prevent 'a certain' Democratic United States Senator in Alabama—who had offended Rome—from being a candidate in the primary before the Democrats who elected him to succeed himself in the United States Senate?"

STRANGE INFLUENCES AT WORK

Democrats all over Alabama who want to preserve the party in its integrity, regardless of who they supported in 1928, are condemning the State committee's strange action. They know that "strange influences" brought that strange action about, for there is "more talk" in the State now of "crooked and corrupt doings" in connection with the action of some of the "27" members of the State committee on December 16, 1929, than I have ever heard in connection with the action of "all the other State committees" in the whole history of the Democratic Party in Alabama. Have arrangements been secretly made in some conference in New York or elsewhere that the Democratic Party in Alabama is to become the tool and handy instrument of the Roman Catholic political machine in the United States? Is the Democratic Party in Alabama to be suddenly perverted

from the ends of its institution and "swallowed up" by the Roman Catholic political party in the United States so as to be ready to serve Al Smith in 1932? Premier Herriot, of France, says that the Pope of Rome is secretly forming Roman Catholic political parties in every country where there are Roman Catholics.

Three big things were planned in the Roman Catholic program in 1928—the election of a Roman Catholic President of the United States, the greatest Protestant country in the world, the crowning of the Roman Catholic Pope as "Catholic king," and the overthrow of the Mexican Government and the placing of Mexico again under the rule of the Roman Catholic Pope and king. They failed to elect Smith President and failed to destroy free government in Mexico, but they did succeed in crowning the Roman Catholic Pope "king of the Catholics of all the world."

This outrageous action of the "27" against me and 185,000 other Democrats in Alabama is the first step in Al Smith's campaign for President in 1932, and I repeat they are determined, if possible, to get me out of the Senate before that time comes. I am convinced that that accounts for the action of the "27" members of the Alabama State committee.

CIVIL SERVICE

I am going to bring to your attention what I said in the Senate a few months ago on a matter of interest to all true Americans:

Mr. President, last June I was a member of a special committee of the Senate of which the junior Senator from Vermont [Mr. DALE] was chairman, the other members were the Senator from Iowa [Mr. BROOKHART], the Senator from Georgia [Mr. GEORGE], and the Senator from Oklahoma [Mr. PINE]. It was a committee appointed under a resolution introduced by me to investigate the civil service. President Deming, of the Civil Service Commission, was testifying before the committee. We were discussing the sending out of notices to the people of the United States when examinations were to be held for Government positions. I complained that Alabama and more than half of the other States were being discriminated against in favor of Washington city and a few other favorite States, that notices of examinations for Government positions were not being sent generally enough into the various States; that they ought to be sent into every nook and corner of the country so that men and women in every State who might desire a Government position would be apprised of the fact that the Government had positions to fill and was giving notice of the time and place when the examinations would be held. I stated that Alabama had not received half the Government positions that she was entitled to under the civil service law, and that over half the other States were in the same fix. I asked Mr. Deming some questions as to this detail work, and he said he was not as well posted on that as some man under him. He suggested Mr. Morgan, an employee of the civil service, who came forward and testified.

HOW ROMANISTS WORM INTO GOVERNMENT SERVICE

I asked Mr. Morgan to whom he sent the notices that examinations were going to be held for the various Government positions. He said, "To the Knights of Columbus, to the Young Men's Christian Association, and various educational groups." I asked him if he sent any to the Masonic fraternity, and he said, "No." I asked him if he sent any to the Junior Order of American Mechanics, and he said, "No." I asked him if he sent any to the Klan people, or the Woodmen of the World, or Odd Fellows, and several other fraternal orders that I named, and he said, "No." I said, "Why do you not send to them?" he said, "They did not ask for them." I said, "If you are going to send notices of these examinations for positions in the Government to any fraternal order you ought to send to all of them." So he admitted that when Government positions were to be filled that he first gave notice of that fact to Roman Catholic Knights of Columbus, and that that was the only fraternal order that he sent them to. He said so in his testimony. He informed them what positions were open and when the examinations for filling them would be held.

When it dawned on Morgan that he had in an unguarded moment disclosed a very damaging secret he tried to change the record of his testimony, and I condemned his conduct in the open Senate and called the names of the other Senators, members of the committee, who would bear witness to my statement.

So it is clear that this favoritism shown by the civil service under Mr. Deming to the Roman Catholic group in the United States is responsible for the fact that the Catholics hold a larger per cent of Federal Government positions here at Washington than all the Protestant and Jew denominations combined. Do you wonder why the Roman machine wants to get me out of the Senate? I am the first Senator to discover this situation.

I submit here a letter from a citizen of Pennsylvania giving statistics of Roman Catholics holding positions in the Government service. I have read it in the Senate and discussed it, and no Senator has ever disputed its accuracy. The letter is addressed to me from Williamsport, Pa., and is, in part, as follows:

MR. DEAR SENATOR: I am inclosing copy of the Index, published by the Prohibition League of Williamsport, Pa. Do not know of anyone better prepared to handle the question than yourself.

Then he says:

A letter just received at State headquarters from an old veteran prohibitionist makes the following statement. The Herald of Holiness published this statement:

"In the Department of State at Washington 61 per cent of the employees are Catholics.

"In the Treasury Department, in which the work of prohibition enforcement is lodged, 70 per cent of the employees are Catholics.

"In the War Department 53 per cent of the civilian and 70 per cent of the Army employees are Catholics.

"In Insular Affairs, 89 per cent.

"In the Bureau of Indian Affairs, under the Department of the Interior, 95 per cent.

"In the Education Bureau 60 per cent are Catholics, and on the Alaskan Railroad 100 per cent are Catholics."

Roman Catholics have only 18 per cent of our population. Is it not suggestive and sinister that they hold 75 per cent of our offices? These undisputed figures show that the Roman Catholics hold 75 per cent of the Government positions at Washington. We are told here in Washington that they are always on the job to get into the various departments, and especially to get a Roman Catholic at the head of a bureau or division so as to get Catholics "in" all down the line. This practice is not only unfair but very harmful to those who are "not Catholics." This situation is becoming very acute and very disagreeable here in Washington. Senators are told frequently that Protestants are being put out of Government positions to make places for Catholics.

WANTS FAIR TREATMENT FOR ALL

I am insisting that the civil service law be "honestly enforced" so that all the States discriminated against, as Alabama is, shall have justice. Three hundred and fifty Alabama boys and girls who are now entitled under the law to Government positions have been denied their rights because the law has been disregarded and discriminations have been practiced in favor of Roman Catholics.

I am demanding a fair deal for all, Protestant, Jew, and Catholic. I want the Protestant, the Jew, and the Catholic all to be treated fairly. And yet, in spite of my stand for fair play and justice to all, it is known all over the country that the Roman Catholic leaders not only want to get me out of the Senate but they have gone into Alabama and demanded that I be denied the right to run as a Democratic Senator to succeed myself in the Senate. And they have done so far what they said months ago they would do—prevent me from running in the Democratic primary in Alabama. They decided that it would be less trouble and "less expense" to "influence" a bare majority of the State Democratic committee than it would be to control a majority of the Democrats of Alabama in a Democratic primary.

STRIVING TO SERVE COUNTRY

I am trying to serve my country and I want to get Roman Catholics who really love our American form of government to see that it is best for them and their children as it is best for us and our children to keep this "American Republic" truly an "American Republic." The day will come in America when Roman Catholics who really love "religious liberty" and who want to preserve "this Republic" will indorse my efforts to preserve a great American Government which guarantees fair treatment and religious freedom for all.

THE AMERICAN HOME

During the campaign of 1928 among other things I knew from undenied newspaper reports that Governor Smith's son had been married by a Protestant judge in the State of New York, and that Governor Smith had phoned his son, telling him "not to come home" until he had gone to a Catholic priest and had himself "properly married." Well, I know that my "Protestant parents" and yours were "properly married," and that Jewish husbands and wives and all others who are married under the laws of the United States are "properly married."

A ROMAN CATHOLIC MAN MARRIED A PROTESTANT WOMAN
(Harlow v. Harlow)

Read the Virginia Supreme Court's decision of a few months ago in the case of Harlow against Harlow, where a Catholic

man married a Protestant woman in the city of Washington. They lived together happily for about two years after their marriage, when he became ill and his Catholic mother, brothers, and sisters took him to his mother's home in Virginia. He had a position in the Government service and his wife had a Government position. There is where he met her. His people told her that they would be glad to look after him and that she could continue her work and come over to see him after work hours. She consented to the arrangement, not dreaming that they intended to try to alienate his affections or cast any reflection upon their "marriage ceremony" performed by a Protestant preacher. After a few visits they told her she was coming too frequently. Then the brother of her husband met her out in the hall one day and told her that she was not his brother's wife and could not see him. Think of telling an anxious and devoted wife such a thing! She got a Protestant Virginia policeman who compelled them to admit her. Again, on a visit to her husband, the same brother met her in the hall and told her she could not see him. He took her by the wrists and held her, saying, "You are not my brother's wife, you are not 'properly married' to him and you are not going to see him any more." She cried and begged to see him. This was just two or three days before he died. Finally the Catholic brother took her in to see him. When they reached the bedside this "brother" said to her husband, "Go ahead and tell her, Dick." He repeated that two or three times. Then the feeble and much agitated husband who died two or three days later said to her, "Pet, it is all over between us. You are not my wife. I must say that and renounce you in order to save my soul." Her eyes wet with tears and her heart filled with an indescribable feeling of humiliation and sorrow, she was escorted from the room and never saw her husband again.

Just think of such a brutal and barbarous thing as that happening right here in the United States! In the meantime they had drawn \$1,400 of her money out of the bank, which was in a joint account with her husband, and they had caused her husband to change his life-insurance policy, leaving his wife out and making it payable to his mother, brothers, and sisters and two "Roman Catholic priests" who visited and advised him nearly every day. The wife, the outraged Mrs. Harlow, a courageous and indignant American woman, brought suit against the Harlows, who had so mistreated, humiliated, insulted, and wronged her. The lower court in Virginia returned a verdict in her favor, compelling the Harlows to pay her damages in the amount of \$13,000. They appealed the case to the Supreme Court of Virginia, and that court sustained the verdict of the lower court with a clear-ringing and scathing American opinion against the Roman Catholic authorities that had questioned the "marriage ceremony" of Mr. and Mrs. Dick Harlow and that had put their "Roman Catholic views on marriage" above the principles and provisions laid down in the laws of the United States. The supreme court reprimanded Roman Catholic authorities who put the Catholic mode of marriage "above the laws of the United States." That fine American opinion was rendered by Judge Chichester, of the Supreme Court of Virginia.

These facts make it plain just what Governor Smith had in mind when he phoned his son, who had been married by a Protestant judge under the law of the United States, "not to come home" until he had himself "properly married" by a Catholic priest.

SACREDNESS OF OUR MARRIAGE CEREMONY

I knew of all this when I opposed Smith for President in 1928. Is there a patriotic citizen in Alabama or elsewhere who would have me remain silent and submissive when the Roman Catholic or anybody else reflects upon, or even questions, the "validity" or "propriety" of the "marriage ceremony" of our American people, whether Protestants or Jews? When they do that they invade the sacred precincts and strike at the very heart of the American home, which is the foundation of our great Government. When they do that they cast a reflection upon every Protestant and Jew, father and mother, and upon the children of every home, born under the "sacred bonds of the American marriage ceremony."

We should cry out against attacks upon these dear and sacred institutions immediately whenever and wherever we discover them. Eternal vigilance is the price of liberty and the price of everything else worth while. This Roman machine wants you to remove your own true and tried American guards from the gates of your Government and take your own true and tried watchmen out of the tower of the American Republic and put in those desired by the Roman-Tammany-Smith-Raskob régime.

THE RISE AND FALL OF GOVERNMENTS

"Duty," said General Lee, "is the sublimest word in the English language." It has been my duty as an American citizen and as a Member of the House of Representatives and as a United States Senator to study the history of the rise and fall

of governments, to inform myself as to the "forces and influences" that have deprived human beings of their "rights and liberties" and that have destroyed free governments in the past. I have said in the Senate and I am going to repeat here, that "six fundamental things" are essential to liberty anywhere and everywhere, to wit: Free speech, peaceful assemblage, free press, religious freedom, separation of church and state, and the preservation of the public school.

I said in the Senate and I am going to repeat here, that wherever the Roman Catholics have had the "political power"—that is, wherever their leaders have gotten hold of the government and could carry out their purpose—they have destroyed free speech, peaceful assemblage, free press, religious freedom, separation of church and state, and the public school. In every instance where they have had control they have destroyed free government and set up the "Roman Catholic government" in its place. They have destroyed "all other religions" and set up the "Roman Catholic religion" and "used force" to compel the people to accept it. And they have taxed the people to support the "Roman Catholic Church" and the "Roman Catholic schools."

ROMAN HISTORY A HISTORY OF INTOLERANCE

The CONGRESSIONAL RECORD will show that I have several times made this statement in debate on the floor of the Senate and that I have challenged any Senator to deny the truthfulness of my statement. No Senator has ever yet arisen to deny the correctness of my statement. They can not deny it. The facts of history justify me in saying that the history of "Roman rule" the world over is the history of "intolerance," "bigotry," and "persecution" of Protestant and Jew and the history of "bloodshed and murder." Note what has happened recently in Mexico. They murdered President Obregon, and just the other day they shot and tried to murder President Rubio. Where are Lincoln, McKinley, and Garfield? Dead by a Roman assassin's bullet! They are seeking to set up again the Roman Catholic government in Mexico.

I have personally received many threatening letters from Roman Catholics, because I have strongly opposed their war program and the political program of the Roman machine in the United States. They have threatened to murder me because I have dared to stand for my country against their program in America, and a Roman Catholic priest named Belford, in New York City, claiming power from God "to pray souls out of purgatory," said in his Roman Catholic paper that they should hire "thugs" to waylay and mob me some night on my way home from the Capitol. These are the intimidatory tactics employed by certain Roman leaders to frighten into silence and submission those who oppose them. And the disturbing and alarming thing in it all is that so many Americans are careless, indifferent, or ignorant of the dangers of their un-American activities.

WHAT OTHERS HAVE SAID

Tom Watson, of Georgia, who was threatened by them time and time again, said, "Wherever Rome has ruled she has left the people sunk in ignorance." And Thomas Jefferson, the father of the Democratic Party, said, "Every priest-ridden country has lost its liberty." And Lafayette, of France, he who helped to achieve our liberty, said, "If ever America loses her liberty it will be through the work of priests and nuns."

Jefferson knew "history," and he was seeking to put his people on guard against the very dangers that I am talking about to-day.

MAJORITY OF SOUTHERN STATES DEFEAT SMITH

Is it not a significant thing that Jefferson's home State, his Democratic State of Virginia, went "against Smith," and that a majority of the Southern States, all Democratic, supported Hoover and went "against Smith," because of their "opposition" to "Smith and what he and the interests back of him stood for"?

Hoover, who had voted for President Wilson and who had been selected by him to have charge of the food supply in the United States during the great World War and who secured a few delegates as a Democratic candidate for President in 1920, was running on the opposition ticket in 1928, and it will be remembered that every elector on the Hoover presidential ticket in Alabama was a Democrat. Does not that confirm my statement that the situation in our State was an extraordinary one? The situation presented by the "means employed" to secure Smith's nomination, his "nomination" itself and his conduct in "bolting" the party platform upon which he was nominated, and in appointing a Roman Catholic Republican chairman of the Democratic National Committee, and Raskob's statement that he was going to use the Democratic power placed in his hands, "to rid the country of the damnable affliction of prohibition," and his uncouth, brazen, and insulting suggestion that Protestant preachers who opposed Smith should

have their "pay reduced" until they were willing to become obedient supporters of the wet Smith-Raskob-Tammany régime, all constituted a very "trying ordeal" to the Democrats of those States who knew these things and the absolute truth about Smith's record.

TO SET UP ROMAN CATHOLIC GOVERNMENT

The Roman Catholic leaders admit right here in this American country of ours that they intend finally to set up a Roman Catholic government in the United States, and they are using the same methods, but in a little "different form," "so far" to "remove me" from the Senate that they used to put President Obregon out of the way, and that they used a few days ago in their efforts to put President Rubio, of Mexico, out of their way. Roman-Tammany influence has touched and tainted certain State committee leadership in Alabama and succeeded in getting 27 members of the State committee to deny me the right to appear and be heard in a Democratic primary where all the Democrats who elected me would have the opportunity, which is their right, to express their views regarding me. Is that fair to the Democrats of Alabama?

A LIFELONG DEMOCRAT

The Democrats of the State elected me to the Senate. I have voted the Alabama Democratic ticket all my life. Is it fair to me as a Democratic Senator from Alabama to deny me a hearing and a trial by Democratic jurors in a Democratic primary? Our forefathers won their independence fighting against the tyranny and star-chamber proceedings of a British King. We will not now submit to the rule of a Catholic king. Am I to be denied a hearing before the Democrats of my State who elected me? Am I to be tried in my absence and adjudged guilty by my political enemies?

The State committee is supposed to look after the interest of the Democratic Party in Alabama and be absolutely fair to "all Democrats" in the State. I regret to say it, but there are Democrats all over the State who believe that some of the members of the State committee have been "strangely influenced" by outsiders, including this New York Roman-Tammany régime. The Alabama State committee is the only one east of the Mississippi River that heard and heeded the voice of Tammany. Is not that strange? A majority of the members of the State committee in Alabama told their Democratic neighbors just prior to the meeting of the State committee at Montgomery last December that they would vote just as Virginia and Kentucky and other Southern States had to admit all Democrats to vote or run for office in the primary in 1930, but after "being seen" by "certain people" they voted for the Roman-Tammany plan. There are two statements regarding the meeting of the State committee at Montgomery which, in due time, may be exceedingly interesting to the Democrats of the State. The thing the "27" did at Montgomery is pleasing to the Roman-Tammany organization in New York, and The Crisis, the leading negro paper in the Nation, says that the northern "negroes are delighted."

PRINCIPLES MUST NOT BE SURRENDERED

I was born a Democrat and reared a Democrat, and I believe that I know what Democratic principles are. I love the Democratic Party, and point with pride to its long, clean, and honorable record. I will not, if I know it, permit its great principles to be surrendered or destroyed. I felt it to be my duty to the Democratic Party and my duty to the country in 1928 to oppose the election of Governor Smith, and I did so. I voted the precinct, county, district, and Alabama State Democratic ticket just as I have always done.

I was elected to the Senate in 1920 as a Democrat and was appointed as a Democrat on two of the most important committees of the Senate, the only committees that I asked for, the Committee on Agriculture and Forestry and the Committee on Post Offices and Post Roads. I desired most of all to be on those two committees, where I thought I could be of most service to our people in agricultural matters and in building good roads in Alabama. The Democrats of the Senate have a Democratic organization known as the "Democratic conference." I became a member of that party organization when I first entered the Senate, and I am still a member and attend its meetings regularly and participate in all its proceedings as a Democrat. When the Senate reconvened in December, 1928, just one month after the presidential election, a Democratic conference was called, and with all the other Democrats Senator SIMMONS and myself were invited just as we had always been invited. No Democratic Senator who supported Smith even suggested that we be reprimanded or punished in any way for our failure to support Smith, and here was the first place following the election that a Democratic organization had the opportunity to question our Democracy. It was not done. The Democrats of the Senate wanted Democratic harmony. We went along just

as we had done before. And not only was I reappointed as a Democrat immediately on the Senate committees that I have mentioned, but was given an additional appointment as a Democratic Senator.

PREVIOUS EFFORTS HAVE BEEN MADE TO "READ ME OUT"

I feel that I should say that in my case Roman Catholic influence was brought to bear then and prior to the election of 1928 to have the Senate Democratic conference read me out of the party. Smith supporters, Roman Catholics of Boston, Mass., who called themselves Democrats, wired Senator ROBINSON, minority leader, urging him to have the Senate conference read me out of the Democratic Party. Democratic members of the Senate conference criticized and ridiculed the suggestion. Think of the gall of this outside interference and attempt on the part of leaders of the Smith-Raskob-Tammany machine to take charge of and use the Democratic organization of the Senate of the United States to punish and injure an Alabama Democratic Senator because he had successfully opposed the Roman Catholic program to involve the United States in war with Mexico, where thousands of American boys would have been killed.

Again, certain Roman Catholics from the North wired Governor Graves of Alabama to call the State legislature into extra session for the purpose of reading me out of the Democratic Party. But when they called on "certain" members of the State committee in Alabama they did not call in vain!

In six public meetings in Alabama where I have spoken, 24,000 Democrats repudiated the action of the committee and called upon it to rescind that action. At those meetings all told only 19 Democrats voted to uphold the committee's action. Those meetings were composed of Democrats who voted for Smith and Democrats who voted for Hoover. Are they to be ignored or denied the right of petition, a right dear to the American people? Are they to be insulted by having their petitions thrown into the wastebasket, as was done by the chairman of the State committee?

WHAT ARE THE FAIR-MINDED AND COURAGEOUS DEMOCRATS OF ALABAMA GOING TO DO ABOUT IT?

Is the desire and determination to stand for the right, fair play, and justice and to protect and preserve white supremacy and American ideals and institutions dead in the Democrats of our State? Is our great party to be betrayed and bartered through "certain strangely influenced and drunken" members of a committee into the hands of those who would use it to our hurt and injury as a political instrument and agency of the Roman-Raskob-Tammany régime? When the Master found that the dove sellers and money changers had taken possession of and abused and misused the temple at Jerusalem He drove them out.

Is a Democratic Senator from Alabama, doing what he believes to be his duty to those who elected him and to the people of the United States, to be struck down and destroyed without a hearing in the Democratic Party that he has loved and served so long? Strange influence has induced 27 members of the Alabama State committee to put loyalty to the Roman-Tammany plan and purpose above loyalty to white supremacy and other vital principles of the Democratic Party in Alabama. Just think of that! Putting loyalty to Al Smith, the high chief of Tammany, with all its alienism, negroism, and rottenness, above loyalty to the Democratic Party and what it stands for in Alabama. What is the price for such a betrayal?

When the Democrats of Virginia, Kentucky, North Carolina, Tennessee, Georgia, Mississippi, and Florida are all providing for a free and fair for all "white Democratic primary," without asking any questions of "any Democrats" in those States as to how they voted in 1928, but cordially inviting "all Democrats" to come in and vote or run for office in the primary, it becomes not only clear but exceedingly plain to every fair-minded Democrat in Alabama that this "Smith-Roman-Raskob-Tammany bunch," which has been busy for months in Alabama, has deliberately planned to "politically assassinate" me so as to prevent my return to the Senate. This is the punishment provided for me for daring to help defeat their "war program" for war with Mexico and for helping to upset the Roman program in 1928.

GIVING WARNINGS TO AMERICAN PEOPLE

By giving warnings to the American people I am interfering with their various schemes and their plan and purpose to "make America Catholic," and that is why they have made "arrangements through 27 members" of the State committee to prevent me from being a candidate in the party to succeed myself, and that is why they have arranged to allow "only those" to run for the Senate in the Democratic primary in Alabama who are "satisfactory" to the Roman-Tammany régime. They are not

only satisfied but well pleased with both Bankhead and Thompson. Both of them have condemned me for my stand on this Roman question. They either do not understand the question or they are like some others that I know, seeking to gain favor with the Roman régime.

Gen. Robert E. Lee was an officer in the United States Army, and when the War between the States came on he would not take up arms against the South, but resigned and became a general in the Confederate Army. He was called by many a bolter and a deserter, but he answered that an extraordinary situation had arisen and that he had done what his judgment and conscience told him was his duty to Virginia.

I ask and I demand fair play and justice for the Democrats who elected me and for myself a Democratic Senator from Alabama. And in the name of fair play and justice I decline to permit "27" strangely influenced members of the State committee to deny to the Democrats of Alabama the right to pass upon me and my conduct as a Democratic Senator from that State. And I decline to permit the "27" members to deny to me, a life-long Democrat, the right to have the rank and file of the Democratic Party pass judgment upon my case in this particular. The State committee is not the Democratic Party nor is it the master of the party. It is only a temporary agent of the party, and if it exceeds its authority or acts arbitrarily and does a harmful thing something should be done to correct the evil—to right the wrong.

I opposed Governor Smith, among other things, because "I knew" his disgusting position on the "negro question," because he was and is in favor of "social equality" and because he repudiated the party platform on prohibition. But my knowledge from what I have seen as a United States Senator of the present Roman Catholic program in the United States and my knowledge of the history of Roman Catholic rule the world over compelled me as a United States Senator, desiring to protect and sworn to defend American institutions, to look with "dread and fear" upon "Roman Catholic rule" in the United States. I felt that I should do my duty and be faithful to the "people of my State" and the people of the "whole United States" in doing everything in my power to preserve free government in America, not only for ourselves but for our children and our children's children.

I had two duties to perform, one as an "American citizen" and one as a "Democratic United States Senator from Alabama," the State I love best of all. And now in the face of the efforts that are being made to destroy me, I can look the people of Alabama in the face, and lay my hand over my heart and say, before the God who made me, that I did my duty in both instances as God gave me the light to see it.

Mr. President, the New York Times of yesterday contained an editorial criticizing me in connection with the political situation in Alabama. Among other things it charges me with being alarmed about certain dangerous conditions in this country which the Times claims do not exist. In effect it accuses me of seeing "phantoms" regarding the papal plan and purpose in the United States. The Times is but voicing the view of its Roman Catholic political masters. It admits that the 27 members of the State Democratic committee in what they did were seeking to retire me from the Senate. That is exactly what I have said and what thousands of Democrats in Alabama have said. That the committee, Tammany inspired and strangely influenced, were denying to the Democrats of Alabama the right to vote on my candidacy in a Democratic primary. That the committee had acted arbitrarily, had exceeded its authority, and had done a very harmful and undemocratic thing.

Four-fifths of Democrats of Alabama regardless of how they voted in 1928 wanted the State committee to have an old-fashioned, fair for all Democratic primary, where all Alabama Democrats could come together in party reunion like they did in Virginia, Kentucky, and the other Southern States. But the Tammany-inspired committee in Alabama decreed otherwise. Let me read a few lines from the New York Times:

If the Senator and his outcast companions live up to their professions, they will run as independents in the general election. This will afford an interesting test of the degree to which the Alabama public supports the pious efforts of the Democratic committee to retire Mr. HEFLIN to private life.

Mr. President, that is exactly what the State committee has tried to do, and that is exactly what my enemies want done. All intelligent Democrats know that the Democratic State committee of my State has undertaken and agreed to do whatever it could to deny to the Democrats of Alabama the right to vote on my candidacy. Is it not strange that it is the only Democratic committee in the entire country that has taken such action? All the other State committees in the United States, with the single exception of Texas, has provided a fair-for-all

Democratic primary for all Democrats, regardless of whom they supported in 1928. No discrimination. You can vote or be a candidate for office, just as you choose.

When I led the fight in this body against the move made by a Tammany Roman Catholic Democrat in the House of Representatives to bring about war with Mexico, through the medium of a resolution calling for the immediate severance of diplomatic relations, which was the first step toward war, when I opposed that resolution, and for seven weeks combated it as best I could, and many of the newspapers of the country did me the honor to say that I had made impossible the passage of such a resolution through Congress, then the Roman Catholic newspapers all over the country pounced down upon me, assailed me most bitterly, calling me the vilest names, and Roman Catholic priests and Roman Catholic leaders joined in that war upon me, and announced at that time and ever since that time that I must be defeated for reelection to the Senate; they announced at that time their purpose to drive me from the Senate, all because I opposed the Roman effort to get us into war with Mexico. Did they show that they really meant what they said? Yes; and they started immediately to carry out their program of punishment of me. Senators will recall that the Senator from Arkansas [Mr. ROBINSON], the minority Democratic leader, received a telegram, signed by leading Roman Catholic Democrats of Boston, asking him to have me read out of the Democratic caucus. That was the first step made by the Roman political machine in the program to bring about my political destruction. That is not the only thing they did.

This same group and other Roman Catholics wired the governor of my State, Governor Graves, and urged him to call the legislature together for the purpose of reading me out of the Democratic Party. Mr. President, did you ever hear of such a high-handed performance? We have heard much about "bigotry," about "intolerance," did you ever hear anything to excel that—Roman Catholics calling themselves Democrats in other States wiring to the Democratic leader of this body to have me read out of the Democratic caucus because I had opposed the Roman Catholic program to plunge my country into war with Mexico, to restore the Pope to power there; sending telegrams to the Governor of Alabama, asking him to assemble the legislature, at the instance of the Roman Catholic political party in the United States, to read me, a Democrat, out of the Democratic Party for opposing the Roman Catholic program? That is not all.

Certain members of the State committee of Alabama have been to New York; they have been to Washington; and I believe that some of them have received "substantial" encouragement to do what they have done, and there is no doubt that a large slush fund has been used in my State to bring about my retirement from the Senate. The opportunity was there. The "tempter" was there—Catholic coin was there. And you remember that Joseph's brethren sold him to Pharaoh's men.

What happened in Alabama? There are 50 members of the Democratic State committee. Some thirty-odd of them, before the State committee met, pledged their friends at home in various sections of the State that they were going to the capital and vote for a fair-for-all Democratic primary; that they were for harmony and were going to do as Democrats in Virginia and Kentucky did and invite all Democrats to come in and participate in the primary just as they had always done. But, I repeat, what did they do when they got there?

Some of them, I am informed, arrived on Saturday night; the meeting was on the following Monday. They were there Sunday and Sunday night. Some of them, it has been charged—and not denied—were drinking very heavily; and some of them were drunk. A law enforcement officer told me that he tried to get papers out to raid the hotel where all this scandalous performance was going on before the meeting on Monday, but the papers were not prepared in time and he was not able to raid the hotel until the liquor had been disposed of. However, there was found an auto-truck load of gallon glass jugs and quart bottles and pint bottles freshly emptied of their contents. That occurred at the hotel where the State committee met, and where they took action to put into effect their agreement to strike me a body blow in carrying out the mandate of the Roman Catholic political régime.

What happened, Mr. President, after filling vacancies with men who pledged themselves in advance to deny me the right to be a candidate in the primary? When the vote was taken 27 members out of 50 voted "to put up the bars," as they called it, against all Democrats who did not vote for Alfred Smith or who openly opposed him. That was never done before when the Democratic candidate for President was a Protestant.

Does not that prove that the Roman Catholic political machine is seeking to penalize, and punish, and coerce Protestant Democrats into a frame of mind to support Smith in 1932?

Can there be anything plainer than that this was an effort not only to punish me for daring to expose their efforts to involve us in war, for exposing this effort to lead the party not along paths of Democracy but into the Roman Catholic political camp. In furtherance of this end, Raskob was selected from the Republican side to lead the Roman Catholic Republicans into the Roman Catholic party, led by Al Smith, in disguise a Democrat, and Raskob, in disguise a Republican. So you saw, Mr. President, in that campaign, Smith, the Roman Catholic Democrat, and Raskob, the Roman Catholic Republican, bringing these Roman Catholic political forces together under one leadership when the Roman Catholic party had a big program to put over in 1928.

What occurred in California? I have shown you that between 35,000 and 50,000 Roman Catholic Republicans changed their politics and registered as Democrats in order to help Al Smith carry California over McAdoo and Jim Reed, and they did it.

Then what occurred in Wisconsin? Jim Reed received 35,000 Democratic votes and Smith 8,000, but Smith got the delegation. There never was more skulduggery, more contemptible methods employed than were employed in that campaign to make Al Smith, the Roman Catholic, the standard bearer of the Democratic Party.

Mr. President, I could not support Governor Smith. I did not believe that it was for the best interests of the Democratic Party for him to be elected; I thought it was best for the party and best for the country to defeat him. As I have said, Jefferson has taught us that the way to preserve this country is for the individual to vote according to his convictions and his judgment. Washington has taught us that it is a dangerous thing to follow a leadership that will pervert your party from the ends of its institution and cause it to do things that will bring about its destruction.

A party's platform is the party's bond to the people. At Houston the Democratic Party laid down a platform. The Democratic South stands for prohibition. It has been a great blessing to our country; it has been a great blessing to the masses of our people; the South is strong for prohibition. It has helped us greatly with the negro problem, present with us always. When in the Democratic platform the prohibition plank was adopted at Houston Governor Smith waited until the convention was about to adjourn, when three-fourths of the delegates had gone, and had a telegram read in that convention saying that he could not stand on the prohibition plank; he bolted the platform, when it was too late to have any kind of action on his strange action, and the convention adjourned. The platform pledged us to prohibition; the candidate repudiated the platform. If he bolted the platform, certainly Democrats had a right to bolt him.

He went out of the party over the heads of all the Democrats of the United States and went over into the Republican Party, picked out Raskob, and made him chairman of the Democratic National Committee. I hold that that action excused any Democrat who did not want to vote for Smith from doing so.

But, Mr. President, his attitude on the stump everywhere all during the campaign on the prohibition question was an attack upon prohibition and a repudiation of the platform upon which he was running.

I had other fears in this connection. When I entered this body I took an oath that I would defend my country against all enemies, both foreign and domestic. The Bible teaches us to watch as well as pray; the Bible in another place says, "My people perish for lack of knowledge."

Mr. President, the way nations have lost their liberty, the things that have caused the downfall of governments are the failure of the people to see what is going on, the failure to mark approaching danger and point it out, and call it to the attention of those who would like to preserve their government. I have done that from time to time. But the New York Times says that there is nothing in my position on that subject. I will answer the New York Times with an editorial from the New York Times. On January 13 of this year the New York Times had this to say editorially:

THE CHURCH AND THE SCHOOL

The Pope's encyclical sounds a note that will startle Americans, for it assails an institution dearest to them—the public school—without which it is hardly conceivable that democracy could long exist. As was said only yesterday by a critical authority, despite its shortcomings and mistakes, the public school has "already contributed to society more than all other agencies combined."

Mr. President, the New York Times, which now hastens to attack me at the instance of the Roman Catholic political party, says itself in an editorial that "the Pope's attack on the public school in America is startling to the American people."

Why? "Because," it says, "the Pope attacks an institution dearest to the American people." Then, what is my duty as an American Senator in the premises? If the Roman Catholic Pope attacks an institution dear to us, one that the New York Times admits if destroyed would mean the destruction of our American democracy, I feel that it is my business to expose that attack and condemn it. I apologize to nobody for that position. But I am condemned by the New York Times for taking the stand that I do, and it says that I am seeing "phantoms." What sort of phantoms did the editor of the Times see when three months ago he wrote that fine American editorial? Let me repeat a line or two:

The Pope's encyclical sounds a note that will startle Americans, for it assails an institution dearest to them.

Is a United States Senator to remain silent here because the Roman Catholic political machine objects if he rises and says something in behalf of his country, something that opposes the plan and purpose of Roman Catholic leaders in the United States?

Senators, what do you imagine this Senate will be 25 years from now if this un-American, intolerant, and bigoted political Roman program keeps up in the United States; if American Senators are to be attacked and intimidated, and if American Senators are to be marked for slaughter, as I have been, because in their efforts to serve their country and preserve free government in America they oppose the Roman Catholic plan and purpose in the United States?

Mr. President, what is my offense against the Roman Catholic hierarchy in the United States? What is my offense against the Roman Catholic political party, not yet strong enough to be willing to disclose its identity? What is my offense? It is living up to my oath as an American Senator; doing my duty as an American citizen; standing by the Constitution of my country, which I will continue to do in spite of the Roman Catholic king and all his Roman Catholic priests and cardinals combined.

Why, Mr. President, I would be a miserable and a pitiful figure in the American Senate if I were afraid to say what I believe I ought to say to save my country from the dangers that threaten it. I would be a contemptible coward if I should remain silent in the face of the present-day open and bold announcements of Roman Catholic political leaders to change our American form of government when they are strong enough to do so and set up in its place a Roman Catholic government.

O Mr. President, Doctor Ryan, one of the appointees of the Roman Catholic king right here at the Capital, in his book called "State and Church," boldly lays down the Roman Catholic plan that when the Roman Catholics are strong enough politically in the United States they are going to change the form of our American Government and set up here in the United States a Roman Catholic government; and just think, if you please, that I am being pursued by Roman Catholic bitterness, hate, and Roman Catholic money in an effort to defeat me because I am seeking to prevent them from obtaining the positions of leadership necessary and from becoming strong enough politically to change the form of my Government into that of a Roman Catholic government.

I do not want the form of our American Government changed. I want to see it preserved for all time in its true American form. Here is an appointee of the Roman Catholic king, a temporal sovereign and a spiritual ruler combined in one, a Roman Catholic king, with Italy stripped and deprived of all her civil laws and bound all around with the canon laws of the Roman Catholic Church. I am marked for slaughter by this Roman Catholic political machine because I have tried to hold this Government of ours true to its American form.

Have we reached the time when American patriotism can be punished and where American Senators can be driven out of public life without a chance to be heard in behalf of their efforts to serve their own country? Can such a bold and brazen effort as that employed by certain members of the present State committee in Alabama go unrebuked and unrepudiated by the clean, courageous, and upstanding Democrats of Alabama?

These Roman Catholic leaders, bent on my retirement from the Senate, are saying that "HEFLIN is poor, and we can easily defeat him."

Mr. President, they told the truth when they said that I am a poor man, but they are mistaken when they think they can buy a senatorship in Alabama and bring about my defeat. All that I need to do is to get the truth of my service to the Democrats of Alabama.

Mr. President, what did Doctor Ryan say in his book? "If there is a law passed that any considerable number of the people"—meaning Catholics, of course—"do not agree to, they must consult their priests, their bishops, and the Pope, and then decide what they will do."

What does that mean, Senators? That means that if a Catholic priest or a Catholic bishop or Pope tells you that you ought not to obey that law passed by Congress, you need not do it. What sort of a Government have we with that sort of thing going on here? That is in Mr. Ryan's book. That is his doctrine.

Am I to be condemned for calling attention to these things? Ought I to sit silent here, with folded arms and sealed lips, because I am afraid of the Roman machine, because I am afraid of poison, because I am afraid of the dirk or of the assassin's bullet that killed Lincoln, Garfield, and McKinley? Shall I be a coward and sit silent, or shall I do my duty as an American Senator and point out these evils—for what? In the hope of checking them; in the hope of preventing harm coming from them.

I am a Methodist. If the Methodist Church held any such doctrine, I would quit the church. I would not belong to a church that taught a doctrine that meant the injury and the ruin ultimately of my country. It ought not to be. We can not all agree on religion; but we have agreed in the construction of a great Government that gives fair protection to all—Catholic, Protestant, and Jew. I hold that it is the duty of every Catholic, as it is the duty of every Protestant and every Jew, to swear eternal allegiance to this Government, its flag, its Constitution, and to permit no Pope or potentate, by any decree of his, to swerve them from their duty in the premises. That is my offense. Am I to be driven from the Senate because I have dared to do these things?

I predict that inside of 10 years the New York Times will be owned completely by the Roman Catholics. They have large stock holdings in it now. Whenever they find a paper that criticizes them in the least, as this paper did in January, they either put it out of business by the boycott or they buy it up and control it. I predict that inside of 10 years they will own that sheet outright, as they own many others of the big dailies of the country. I assert here to-day that they dominate the press. They dominate three-fourths of the press of the United States. What an appalling statement! What an astounding fact! Nobody can deny it.

Why, I printed in the RECORD here the other day a letter quoting from a report of the Catholic political organization which represents the Catholic king right here in Washington. They have headquarters that cover nearly a block. They claim in their reports that they are in personal contact daily with Congress, with the Cabinet, and with the President of the United States. In one of those reports they set out that the Associated Press misrepresented them, and they got after the Press good and strong, and the Associated Press apologized, and the Associated Press had been doing finely ever since; and not only that, but that incident had had a wholesome effect on the other newspaper reporters, and all was well with the Catholic interests!

That is what you have. I want Senators to try it out. You go to one of these boys—and there are some mighty clever boys up there, as well as some clever ladies—you go to them and start to telling them about some scandal connected with a preacher, and see them commence jotting down the notes. Oh, they will take it down in earnest. Finally, when they ask you, "Who is this fellow?" and you say, "He is a Catholic priest," they say, "Oh! Oh!" [laughter], and the story goes dead. They know it just as well as I know it. You know it, too. Have we a free press in this country with that condition of affairs obtaining?

I want a press that will tell the truth on everybody including all the preachers, a press that will tell the truth on all parties, on Catholics, Protestants, and Jews. If we are going to have a free press, let it speak the truth fearlessly regarding all these interests.

Why, they have the Associated Press now so that it will eat salt out of their hands. It is utterly impossible for me to get a square deal at the hands of the Associated Press since one of its vice presidents recently became a candidate for the Senate in my State. I pass bills and resolutions through the Senate, and no mention is made of them. I do not care personally; but the people who sent me here are entitled to have the truth with regard to my service, and the facts ought to be told. I do this to show you that we have no free press.

This Government is founded on six fundamental principles—free press, free speech, peaceful assemblage, religious freedom, separation of church and State, and the public school. These are the six pillars underneath this great structure of ours called constitutional government. Pull down those pillars, and you pull down the Republic.

Is the Roman Catholic machine in favor of free speech? It is not. It is the deadly enemy of free speech. I know from personal experience. When I was going around the country,

invited by patriotic men and women to come and speak where a Roman Catholic Knight of Columbus had been speaking on the Catholic side of the Mexican question, they wired me to come and present the other side, and I went. The experiences that I had would fill a book. Let me tell you what occurred at Butler, Pa.

The school board had charge of the auditorium. They came up to see me at the hotel and said, "The Roman Catholic priest objects to you speaking in the school auditorium."

I said, "In a Protestant school auditorium?"

"Yes."

I said, "Did Catholics build that school?"

"No; they had nothing to do with it."

"Does the priest own it, or is he the keeper of it?"

"No."

"What business is it of his?"

"Well, that is what we would like to know. He says if you speak on matters generally and will not mention the Catholic Church he has no objection to you speaking."

I said, "You tell that priest for me that I have never yet asked a Roman Catholic priest what I could or would discuss in my speeches, and I do not propose to do it now. The Catholic Church is in the resolution passed by the Roman Catholics, laid before the committee in the House of Representatives. That is the part of the subject, and I will speak about what I please to discuss."

They said, "Well, he said he had no objection to you speaking if you would make him these promises."

Think of having a Roman Catholic priest coming out from his Roman organization and challenging a United States Senator's right to speak about what he pleases to talk about in this free country of ours.

"Well," I said, "gentlemen, I will speak about what I want to speak about."

"Sure," they said.

"All right. Then that is settled."

They went back and saw the priest, who was waiting. They had to report to him. When they told him what I said he threw his hands up and said, "Well, you will have trouble down there to-night." That was to frighten people away, to make them think they were going to have a riot. What did he say? He said, "They will have trouble because I can not control the Knights of Columbus."

They told me about it that night just before I got up to speak. "Well," I said, in opening my address, "the priest may not be able to control them, but if they start anything here to-night, by golly, we'll control them." They did not start anything. I made my speech.

I went to Ridgeway, Pa.—it had been advertised for two weeks—to speak in a theater. They sold tickets. The owner of the theater had advertised in the program of the week that "Senator HEFLIN will lecture Friday night about Mexico." Two days before I was to lecture the manager of the theater came to the committee and said, "You can not use the theater."

"Why?"

"The Catholic priests have taken it up with headquarters at Pittsburgh. They have ordered us to close the hall on that night."

One member of the committee said, "You can not do that. We have your contract. We have sold 1,200 tickets. The people have them; they paid for them, and they will be in here to the seating capacity of this building."

"That is all right," he said, "you can not use it. The Catholics have threatened to boycott the theater if we let you use it, and you can not have it."

"Well," he said, "we will see."

So they went to a circuit judge, who was at that time sick in bed; they laid the facts before him, and he issued an order that that theater be opened and lighted up, and that that contract be carried out. They brought that order back and tried to turn it over to a Roman official, whose duty it was to serve it. He slipped out of his house and stayed in hiding, and they did not get the writ executed, and 1,200 American men and women, in the dark, stood outside waiting to go in to hear a United States Senator speak on a question of whether their boys should go to war with Mexico. A Roman Catholic official in this country, obeying the mandates of the Roman Catholic government, defied an order of court in this country and punished American citizens because a Roman Catholic priest wanted it done. Is that free speech? I could give instances for four hours of what happened to me over the country because I was interfering with the Roman Catholic program for war with Mexico.

Mr. President, General Lee said that the sublimest word in the English language is "duty." I have simply tried to do my duty. I have dared to do it frequently when it was dangerous, very dangerous. People have warned me that I would be

poisoned. I have received letters galore from Roman Catholics threatening to put me out of the way. I have received them, and have read some of them in this Chamber, stating that if I did not stop my fight for the preservation of my country I was going to be murdered.

An evil is springing up in the land so gigantic that public men are as afraid of it as they are of death. They know it. We all know it.

You can discuss a question that involves the Methodist or Baptist Church or any other Protestant church, but not the Catholic Church. Whenever you touch that—"Sh! Sh!" They put on the soft pedal; and why? I have had them tell me why. They have said, "You know how they are. They will combine against and seek to drive you from office."

Mr. President, if we have something in the United States that is so touchy and tender that you can not discuss it, we have reached a pitiful pass in the history of our country. I think we ought to discuss in this place any question which vitally affects free government in the United States. That is my position. If the Methodist Church is doing something it should not do, involving the Government, it ought to stop it; and the same is true of the Baptist Church and the balance of them. We talk about them, but you must not talk about the Catholic Church.

I want you to listen to this, and let the New York Times then answer whether I am seeing phantoms or not. Here is the Atlantic Monthly for March of this year, containing an article by Hilaire Belloc, one of the strong and leading writers of the Roman Catholic group, and what does he say? This is what he says:

Where there is a conflict between civil law and the moral law of the Catholic Church, the members of the Catholic Church will resist the civil law and obey the law of the church.

My God! Did you think you would ever reach the time when a distinguished leader of any group would rise up and say that if Congress in its judgment, after due deliberation, and with the President's approval, enacted a law for the American people, which ran counter to a Catholic canon law, the Catholics would resent the law of the Government and sustain the law of the Catholic group? What are we coming to? What are we coming to in the United States?

I am criticized, and an effort is being made to drive me from the Senate; for what? Because I have exposed these un-American activities, because I helped to defeat the Roman Catholic plan for war with Mexico, because I helped to defeat Alfred E. Smith, who was to be elected President in 1928, under all their signs.

Oh, what big doings they had mapped out. They were to elect Al Smith, a Roman Catholic, President of the greatest Protestant country in all the world. Following that they were to crown a Catholic king of the Catholics of all the world. Following that they were to have a revolution in Mexico, aided by Al Smith, for the overthrow of constitutional government there, and to restore the Pope to power. Those were the three big things in their program, and because I helped to defeat them they have marked me for slaughter.

Mr. President, one of the leading Catholics of the United States has said boastfully that the day will come when there will be no Member of Congress in either branch who does not have the O. K. of the Pope. Oh, it looks as if they think that time has come now, because I certainly have not the O. K. of the Pope. [Laughter.]

What is there in common between Alfred Smith and the Democratic Party of the South? The Democratic Party of the South stands for strict restriction of immigration. The Catholic plan, when I came to Congress, was to flood this country with Catholics, and one day to have a majority in this country so that they could control it. When I came to Congress in 1904 they were sending in a million and a quarter immigrants a year, two-thirds of them Roman Catholics. Just think. At that rate, if that had continued, they would have had twenty-odd millions of Catholics coming in during my time.

We cut that down. We voted for restricted immigration. I am going to repeat what I said before; the first immigration bill we passed, Taft vetoed, under Roman Catholic influence. The second immigration bill we passed, Woodrow Wilson vetoed, under Roman Catholic influence. I am going to tell the truth about all of them. They operate on Democrats just as they do on Republicans when the Catholic government's interests are at stake. The third bill we passed, Calvin Coolidge approved. We passed it by an overwhelming vote.

I found Tammany standing in solid phalanx against our immigration moves at every turn. The Roman Tammany group stood there like a stone wall, beating back our forces for years and years and years. We did not succeed until we got enough

Republicans from the West to join with the Democrats of the South to put that measure over.

In 1924, when the immigration bill was up in the House, the Tammany group solidly, with one exception, was in opposition to it. A Mr. O'CONNOR, I believe it was, came over to Representative Stengle, of the New York delegation, and showed him a letter which "Boss" Murphy wanted signed by all the Tammany Congressmen. They had all signed it but that one, and they presented it for his signature. Stengle said, "I can not sign it." The man said, "Listen, do you know what that means?" He said, "Yes; I think I do." "All right." He made a motion toward his head indicating that it would mean that his head would be taken off politically.

Mr. O'CONNOR went back. Then Mr. CAREW came over and sat down by Mr. Stengle and said, "They tell me you will not sign this letter which the boss asked you to sign?" He said, "That is right." "You know what it means?" "Yes; it means the jig is up with me politically." "But," he said, "I believe it is to the best interests of the American people, and I am going to vote for the bill." "All right, that eliminates you," and it did. Mr. Stengle went down before the Speaker's desk, made his speech in favor of the bill, saying that he knew that it meant his political death, and they drove him out of Congress. That is the way Tammany does. By their fruits ye shall know them! Because I refuse to bow the knee to the Baal of Tammany I am marked for political slaughter in Alabama.

Catholics of Boston called on the caucus here to read me out of the party. The same group and others called on the governor of my State to read me out of the party. Then the Raskob-Smith-Tammany crowd manipulated—quietly, of course, and secretly—through the State committee in my State, 27 out of 50 of the members of that committee, to the astonishment of everybody, put this dastardly thing over, denying me the right to run as a Democrat in the Democratic primary, where all Democrats would have a chance either to approve my course or to repudiate it. It is a cowardly and scoundrelly thing. The Democrats of my State will never submit to it.

Mr. President, there is nothing in common between Tammany and the Democratic Party of my State. Tammany is rotten on the negro question. I believe in giving the negro a fair deal. I believe in treating him right, and we do that. But I am opposed to social equality. There is a dead line between the white race and the Negro race. When you cross that line you are bringing about a lot of trouble for both races. The way to treat that question is to preserve the Negro race as a Negro race and the white race in its integrity, to prevent marriage between the races. While Governor Smith was Governor of New York State he permitted negroes to marry with white people in that State.

In the city of New York, when the present Tammany mayor was recently running for reelection, it was boasted that they had done more for the negro than the Republicans or anybody else had done. The negro campaign book sets out that Mayor Walker had appointed more negroes to office in New York City by 50 per cent than all the mayors since 1895. Just think of that!

Listen, Senators! I believe in negro school and a negro teacher, negro church and negro preacher, a negro hospital with negro patients, negro doctors and negro nurses. I believe in white hospitals for white patients, with white doctors and white nurses. What has been done in New York? Recently Mayor Walker has thrown open the doors of all the hospitals of New York City, alike and without discrimination, to negroes and whites—white nurses and negro nurses, white doctors and negro doctors—such a conglomerated mess in the largest city of our great country! That is the price paid in part for the negro vote of New York City by Tammany's so-called Democratic Mayor Jimmie Walker.

Mr. President, I hold that any man who will surrender his own clean, superb, fine convictions in order to hold office, who will shape his creed for his cravings and swallow his convictions for a job, is unworthy of any position of honor in this country. The Tammany-negro political mixup, if Democracy at all is Democracy of high rank and smell! Negroes and whites, all alike, are admitted into the hospitals of New York to please the negro vote and to obtain it for the Roman Catholic political machine.

I know they do not like to hear me say these things, but that does not deter me in the least. I want this devilish program stopped. We have ideas upon this subject. The American people have ideas about it. Lincoln had them. Lincoln opposed marriage between the whites and the blacks, and he said so. But here we have reached the point where in order to corral and obtain the negro vote they have opened the hospitals, where a white man must take his wife or his daughter, to negroes and whites, all alike. Deliver me from such Democracy as that!

It is not Democracy. That is not the work of the Democratic Party; it is the humiliating and shameful work of the Tammany Party.

Mr. President, I repeat there is nothing in common between the Alabama Democracy and the Tammany crowd. We do not want social equality; they do. We do not permit marriage between the races; they do. We do not permit negroes and whites to go to the same school; they do. We do not permit the whites and the negroes to worship together in the same church; they do. Crowning it all, they now permit them indiscriminately to go to the same hospitals, they now permit negro women to marry white men, and that is the fruit of Democratic Tammany. By their fruits ye shall know them!

But I have opposed them. I have interfered with their program. The Democratic South is for restricted immigration. The Democratic South wants the jobs in America for American men and women. The Tammany Democrats want those jobs for foreigners if they are Catholics and for negroes if they will vote the Tammany ticket.

I know they do not like to hear that. They have boasted that they would put me out of office. I do not fear them. I defy them! I take my cause to the people of my State, confident of their verdict. Fearless and brave and fair a people as ever lived, they believe in fair play and justice to all. They will not indorse the action of the committee that seeks, at the instance of the Roman-Tammany crowd, to assassinate me politically.

Mr. President, what would you think of a judge if a man should come in when some charges were made against him and the judge would say, "Take him out and lock him up. I will sentence him." But the man would say, "If you honor please, I am not guilty and I want a hearing. I want a jury to hear me. If they say I am guilty, all right; but I demand that right. It is my right." But the judge says, "No; I have decided this matter. Your enemies want to punish you and I must do their bidding."

The Roman-Tammany crowd told the committee in my State, "You can not beat him in a primary. The thing to do is to break him down and cripple him and deny him the right to run as a Democrat." What does that mean? That is an admission that a majority of the Democrats want to reelect me, but they would not permit them to have that opportunity. It is an admission that they were seeking to keep the majority from doing what the majority wants to do. That is not Democratic. That is Tammany. All I asked was, "If you say I have done wrong, assemble the party and let them hear me. If they say I have done wrong, I bow to their judgment, I accept their action." "No," they said, "We are not going to let you be heard." "You say I have offended against the majority of Democrats?" "Yes." "All right; I am willing to go in there and run before them. Knowing in advance that you charge that a majority of them are against me, I am ready to accept their judgment. Will you let me in?" They said, "No; we will not do that." Is there anything fair in their position?

Mr. President, what is it in a nutshell. They decided to drive me from the Senate and perhaps they decided that it was cheaper financially to influence 27 members of that committee than it was to beat me in a primary where 300,000 Democrats would vote—cheaper and less trouble to stab me in the back and murder me politically and keep me out of the primary than to let me in and seek to control the primary. It is the most outrageous performance that has been pulled off in this country in my lifetime. Nicodemus said, "That it was against the law to punish a person without a hearing."

O Mr. President, I am pleading for fair play and justice and I propose to have it. I am still seeking to have the way opened for a fair-for-all Democratic primary, so that we can all get in the primary, but if we are unable to do that I want to set all minds at rest on one matter, and that is that I will be a candidate in the November election. If I live, I will carry the principles involved to the judgment bar of the people of my State. I shall not permit 27 members of the State committee, strangely influenced, arbitrarily, to strike me down without a hearing at the hands of those who elected me. I will not permit that committee to deny to all Democrats a chance to vote for me or any other candidate for whom they want to vote. That is fair, that is just, that is Democratic!

The New York Times says that I am seeing phantoms. Let me read again for the edification of that agent of the Roman machine. This is from the October, 1928, issue of Cardinal Hayes's Missionary Magazine, published in New York. The Bible says, "As a man thinketh in his heart so is he." What were they thinking in their hearts? What was the thing uppermost in their minds? What was the great plan in it all in 1928? Here it is in the Catholic Missionary editorial of October, 1928:

The Missionary finds many reasons for sharing the interest of fellow Catholics in the campaign. It seems to be a most beneficent provision of the Heavenly Father for the advancement of those ideals to which the Missionary is dedicated. * * *

God, in His mercy, has permitted these Americans to be bound—

Listen to this—

God, in His mercy, has permitted these Americans to be bound, in the stimulating, electrical current of their own ambitions, to the candidacy of one who represents ideals they have banned in their blindness for the past 300 years.

Oh, they are rejoicing that we "heathens" are going to be enlightened; that God is going to use this opportunity to get us out of the wilderness and out of the darkness of Protestantism into the light of Roman Catholicism. This writer is rejoicing that Alfred Smith is leading the way. But I read further:

The strains, toils, and bruises of the campaign are amply compensated to the Catholic candidate by a happy consciousness, which no election returns can take from him, that he has brought the Catholic Church into the minds of the American people, in a way, with a force, surpassing the utmost capacities of pulpites.

That was true, was it not? I saw men on the stump berating Protestants because they opposed Smith and themselves eulogizing him and urging that he be supported. In their political zeal they lost sight of what this writer had in mind.

I am not opposing Smith because he has a different religion from mine. I am not attacking the individual Catholic; I am not attacking the Catholic form of worship; I am attacking their un-American political activities. I am against their political beliefs and intentions.

What are those beliefs? Doctor Ryan sets them out; he says that when the Catholics are strong enough they are going to change our form of government; in other words, they are going to overthrow it and set up in the United States a Catholic form of government. I ought not to be for that; I am not for it; and because I am not for that they are falsely stating that I am attacking the Catholic religion. They do that, as they have done through the centuries in order to carry their political program under cover, hidden from the eyes of those who are interested until it is too late to protect their Government and preserve it.

Listen. Speaking of Governor Smith, this article goes on:

His opportunity to enlighten and convert America has been stupendous, and stupendous will be his reward. He earned it by being a sincere, practical Catholic.

Now, listen:

Our blessed Lord wins through failure and sets up the principle "unless the grain of wheat falling into the ground die, it remains alone."

And so on. But here is the point:

The campaign has been intensely significant to Catholics because it is so plainly part of our Divine Lord's own, age-long and world-wide campaign.

The Catholics are trying to make it appear that I offended the Lord when I opposed Alfred. I deny it. This writer continues:

With this in view, is it any wonder that all Catholic lovers of Christ are feverishly praying for Governor Smith's success?

Have you ever thought—

Now listen to this—

Have you ever thought of what life would be like in the United States when it becomes the fashion, the rage, to be Catholic? This change is almost certain to come. It is highly probable that it will come suddenly. You will go to sleep some night in the same atmosphere you and your ancestors have breathed for the past 400 years; the oppressive, sad atmosphere of a detested, exploited, sullenly tolerated sect, and you will wake up in the morning to find Catholic interests in big type on the front page of your daily paper and all the world clapping its hands in applause. The reason for the suddenness of the change is twofold.

First, it has been prepared, during the past 50 years, by the army of American visitors to Europe, who spend half a billion dollars every year for the privilege of basking for a few weeks in Catholic culture in Europe.

Now, here is the milk in the coconut, the climax of it all:

America is going to become pro-Catholic all at once, because this is the nearest approach to gracefulness with which anyone who knows he is in the wrong can begin to be right. We should be charitable enough to take no notice of the change; forget America was ever anti-Catholic and carry on as if we had always been, all of us, loyal children of Holy Church.

Listen:

This change may take place early in the administration of Governor Smith as President—Democratic President—of the United States * * *. Oh, how we should pray for trained missionaries to Americans!

Is not that a marvelous document? Missionaries! Old fathers in Israel, descendants of Isaac and Jacob and that long line of illustrious Hebrews; old fathers and mothers descended from John Knox and Huss and Luther and Roger Williams and a long line of illustrious Protestants, you have become the "heathen," and Catholic missionaries must come by the hundreds and thousands to lead you out of the darkness into the light! These were to be the great accomplishments of Governor Smith's administration. The restoration of Mexico and the rule of the Pope; the setting up of a Catholic kingdom in Rome; hog tying the Government of Italy with canon law; making the United States Catholic with a Catholic President, with missionaries from abroad going into various States teaching us to tear down the old altar places where our fathers and mothers have worshipped and where they sleep until the resurrection morn. These are some of the things to be accomplished under Roman Catholic rule in the United States; and all this was to come about suddenly when Governor Smith was made President.

One of the newspapers of my State which is opposing me and supporting one of the other two candidates for the Senate made a rather interesting pronouncement on this subject in 1924. The Birmingham News, discussing the Democratic convention at New York on Friday, July 4, 1924, had this to say:

If Smith is named, he will be knifed in the doubtful States not only by the resentful and disappointed McAdoo strength but by a great host of Democrats who are bone dry in their political alignment and who are everlastingly committed to the "unwritten law" which has obtained since the creation of this country, that the Chief Magistrate must be a Protestant.

You ask me why I am opposed to making a Roman Catholic President. I have told you and I will tell you again: Because wherever the Roman Catholic party has been in power it has overthrown free government; wherever the Roman Catholic party has been in power it has destroyed free speech, peaceful assemblage, free press, religious freedom, separation of church and state, and the public school. Destroy those six elements of our national strength and you destroy free government in America. And I am sought to be destroyed because I am trying to save my Government.

I love this Government, Mr. President; I love this great, free country of ours. I would not interfere with the birthright of any boy or girl. I hold that it is the birthright of every child born in this country to worship God just as he or she chooses, to select his or her own church. Deny that and you deny them their birthright. What is the Roman Catholic position on that question? They bind the children to be brought up in the Catholic Church. Let a Protestant who believes in religious freedom marry a Catholic, and the priest will swear them to bring up their children in the Catholic faith. That is binding children in bondage before they are born. It is not American. The child is deprived of his birthright when that is done. That is not all. What happens when they are married? If a Protestant marries a Catholic and a Protestant preacher performs the ceremony, it is not a marriage according to Catholic authorities, and the children born of such union are not legitimate. That is what they hold. Their authorities time and again have announced that position and that is their position. I can cite you, Mr. President, to an instance, one of the most appalling in my lifetime, which occurred right here in the city of Washington.

A girl from New York, a war worker, came here to do her bit when the country's liberty and the world's liberty was involved. She met a young man who had been married and divorced. He was a Catholic by the name of Harlow. They were married by a Protestant preacher. They lived together happily two years. Both of them had Government positions. There is where he met her. He was taken ill. His Catholic mother and brothers and sisters came over and asked the wife—they lived over here at Alexandria—to let them have him; that they would look after him, and she could continue her work, and come over and see him after Government hours. She did that. Little did she dream that they were going to question the propriety of her living with him, the marriage ceremony that had been performed. Little did she dream that they were going to alienate his affection and have him renounce her; but they did.

Two Catholic priests visited him every day. The wife went over to see him frequently. Finally they said, "You are coming too often." One day the brother of the sick man met her

out in the hall and told her she could not see him. He said, "You are not his wife. You have never been properly married to him." She cried like a child in the hall—denied the right to see her own husband, nigh unto death! She went out and told the policeman, a Protestant. He came in and made them open the door and admit the wife to see her stricken husband. She went away and came again. This time the brother met her in the hall, and caught her by the wrists and twisted them around, and told her she could not go in; that she was not Dick's wife. She begged and cried. Finally he said, "All right"; he took her in, and they stood by the bedside. He said, "Dick, go ahead and tell her. Go on!" The sick man lay there, and his lips quivered. He was near unto death. He died two days later. He said, "Pet, it's all over between us. You are not my wife. They say I must renounce you in order to save my soul."

They led her out of the room heartbroken, weeping. She never saw him again. When he was dead and buried, friends said, "Why don't you prosecute those people, or bring suit against them?" She sued them, and obtained a judgment for \$13,000. They had drawn out of the bank her money, \$1,400, that she had in joint account with her husband. She brought suit. A Virginia jury returned a verdict for \$13,000. They took the case to the supreme court. The supreme court affirmed the judgment of the lower court, sustaining her and her judgment for \$13,000; and that court's opinion, written by a brave American judge, Judge Chichester, excoriated those priests and that Catholic group who had mistreated this woman, and denied her the right to see her husband, and questioned the propriety and validity of the American marriage ceremony. He said it was religious fanaticism gone mad, and that they were putting it above the law of the land.

But I am seeing phantoms, the New York Times tells us. That strikes at the bedrock of our society. That strikes at the heart of the country, the American home. You question the validity of the marriage vow and ceremony out of which have come the millions of men and women in America, and you insult every father and mother in the land. You place a stigma upon every child born under such wedlock. I denounce it. I repudiate that conduct. It does not belong in America. It has no place here.

Am I talking the American doctrine, or not? I know it is unpopular with those who believe in the other doctrine. I want them to come out in the open with that doctrine. Let the sunlight of truth down on it. "Know the truth, and the truth shall make you free." That is all I want. If they do not like my argument, let them answer it. I challenge them, here and now, to answer it—to answer it anywhere. I will discuss it anywhere, before any audience, with anyone whom they may select, and let the audience decide whether or not I am chasing phantoms.

Governor Smith's son ran off and was married by a Protestant judge. He telephoned that boy not to come home until he had gone down and had a Catholic priest marry him properly. What do you think of that? My father and mother were properly married, and so were yours, and the countless thousands that have come and gone. What did he mean when he said, "Have yourself properly married by a priest?"

Mr. President, these things strike at the foundation of our Government. They strike at the very root of all that is dear to us.

Why, I spoke here before about the Catholics favoring mixed schools and mixed churches and marriages between niggers and whites, and a Catholic paper of New York City called "America" came out editorially and said, "When Senator HEFLIN said this and that he told the truth." So they admit that I was right about that.

Wherein am I wrong? Challenge me here or challenge me elsewhere, but let me have a chance to answer in the name of my country and in the name of truth and right and justice.

The New York Times, expressing the wish of their friend up there who inspired this editorial, said, "The party is tired of Senator HEFLIN in Alabama." Well, is it not strange if the party is tired of me that they will not let the party have a chance to retire me? Is not it? They prefer to do it the other way. I deny that the party in Alabama is tired of me. It is the O'Toole-Brown-Gunter-Pettus-Smith-Raskob ring in Alabama that is tired of me, but it is not half as tired of me as it will be before the election next November. Now, let me tell you what they have done.

They have said that I can not run in the primary; that I can not be a candidate to succeed myself. I am therefore denied the right to have those who elected me pass on my service to them. That is it. They will not let me run to succeed myself. I can go in there and vote for some candidate that they will anoint and send down there; but they confine me, in the exer-

cise of my choice, to a candidate that they approve in our primaries. I refuse to accept such a thing. The two candidates running—both of them eminently satisfactory to these—have condemned my position. They will not let me run in the primary, but I can go in and vote.

They have two situations that are remarkably close to the Catholic way of doing things. One set of candidates can vote, and the other set of candidates can vote and run, too. They get them from Rome. They allow one set of people to kiss the Pope's hand and another set to kiss his toe. [Laughter.] They have two sets of business for them over there. So I take it that that is where this committee got its idea. They are seeking to drive me out and prevent me from being heard, and prevent Democrats all over the State from expressing themselves at the polls on me and the other issues involved.

Mr. President, I knew that Governor Smith and his crowd had bolted President Wilson in 1916 because he would not go to war with Mexico. I knew, when I opposed Smith, that Colonel Lindbergh's father, then a Member of the House—we served together—introduced a resolution to investigate the activities of the Roman Catholic hierarchy toward getting us into war with Mexico in 1916. I knew that they tried to punish Wilson because he would not use the Army for the Roman Catholic cause, and they came within a handful of votes of beating him. If they had had two weeks more, I believe they would have defeated him. What were they trying to defeat him for? Because he had been unfaithful to his country? No; because he would not betray his country and kill American boys, Protestants and Jews, to restore the Pope to power in Mexico.

That was the truth of it—the whole truth of it. I knew when I opposed Smith that the New York World had said that Governor Smith stands for social equality between the white and black races. Well, now, the idea of my voting for anybody who stands for social equality! I will not do it if I know it. I do not care who nominates him. The idea of a Democrat from the South, a Democrat from Alabama, believing in the principles of white supremacy and white control, voting for a man who believes in social equality between niggers and whites! I would not vote for him.

I stood on this floor and asked Governor Smith, if that was not true, to deny it. He has not denied it to this day. Former Governor BLEASE, Senator BLEASE, of South Carolina, read on the floor of the Senate, or had read, a paper charging that Smith had promised to put a negro in his Cabinet, in order to get the negro vote, if he was elected President. I stood here in my place and asked Governor Smith, "Is it true that you said that? Would you, if elected, put a negro in your Cabinet?" He has not answered to this day.

I read here that Governor Smith, when in the Legislature of New York, voted for a bill requiring all hotel proprietors to open their places to negroes and whites alike, to admit them and serve them, negroes and whites, without discrimination. I stated that Governor Smith voted for it. He has not denied it. He can not deny it. He will not deny it. I charged that he permitted marriage between negroes and whites. He has not denied it. He can not deny it. He will not deny it.

He will not deny now that he believes in marriage between negroes and whites. He will not deny now that he stands for social equality; that he approves the mixing of the breed, and the destruction of Anglo-Saxon superiority in our country in time. That is what it leads to.

In every country where these mixed breeds are found, there has been a downfall of civilization. Go back to Spain in the day of her pride and glory, with pure blood and high ideals: She ascended the scale of glory; but when she mixed and mingled with all sorts of people, brought in the influx of Catholic immigration, what happened? Her ideals were lowered; her standards came down; a mixed breed resulted, and Spain lost her high standing in the world.

There you are. I am fighting for the preservation of American ideals and institutions, and I expect to continue to fight for them.

Mr. President, I want to say another thing before I close. The New York Times said the court decided against me. That is not true. I thought their decision amounted to that; but it is not so. There were five judges who sat on the case. It was not my case, by the way, but it involved the questions at issue.

Four of the judges said the case should be dismissed without deciding anything, except that it was not started in the proper court. But one of the judges, a learned, able, and courageous judge, Judge William H. Thomas, elected by a larger majority than any other man on the bench, a man of the people, able and brave, decided that the primary ordered is an unlawful

primary. So the only judge who has decided the point decided it against the Raskob-controlled committee, and among other things he said:

The importance of the primary system as a step in getting the name of a candidate upon the official ballot, the freedom of choice of candidates from those of the association or organization who may become candidates, are of equal importance with the freedom of the expression of the choice between candidates at a general election.

That is as sound as the Rock of Ages. Again:

The primary is the initial step in the system looking to the nomination of candidates whose names are to find a place upon the official ballot, and through its agencies to be submitted to the qualified electors for an expression of their choice.

That is what I am pleading for, Mr. President and Senators. Again he said, and I hope the New York Times will take note of this:

It is the legislative intent that as to affiliation and party loyalty all electors may become candidates and all candidates may be electors.

Again—

The only interpretation of section 612 and section 672 of the Code of Alabama that is reasonable is that contained in its plain and simple language—that the same tests of party loyalty and affiliation be prescribed for party electors as for party candidates. * * * The law exacts of this court the construction of the law as duly enacted, and I conceive it my duty to do so as to these statutes and the resolution in question.

Then—

It follows from this material departure in the resolution from the requirements of law that the primary election called is not the kind of primary that may be held under the law and at public expense in the State of Alabama.

The only utterance from the bench on the case is in my favor and in favor of 300,000 Democrats who are asking for a fair deal and for simple justice.

O, Mr. President, I was born a Democrat, I was reared a Democrat, and I believe I know what Democratic principles are. I am trying to serve my party. I must decide in the final analysis what is best for me to do to preserve my party in its integrity.

I can not and will not take the direction of a strangely influenced State committee. I must listen to the dictates of my own conscience and my judgment, and it was my deliberate judgment, and my conscience told me, that Governor Smith's election would be a deadly thing to the Democratic Party in the United States; and not only that, but deadly to the American Government, which we love. They are seeking now to get me out of the way because he is going to be a candidate again in 1932. They want to clear the way. They are making all their preparations.

Mr. President, I shall meet them. I will be here in my place standing for American principles, as I have always stood. I take my cue from God as He speaks to me through my conscience and my mind. I will not bow to this Baal of the Roman-Tammany group. I will continue to do my duty.

I have two duties to perform, one as an American citizen, one as a Senator from Alabama, the State I love best of all, and I love to repeat a part of Julia Tutwiler's poem:

Alabama, Alabama, we will aye be true to thee.

When General Lee was a colonel in the Federal Army and the war broke out, he resigned his commission and went back to Virginia. They called him a bolter, a deserter, and a traitor. General Lee said, "My father before me said to Mr. Madison, 'Virginia is my country. Her will I obey, however lamentable the fate to which it may subject me.' A peculiar situation has arisen. His home state, Virginia, is involved. Virginia is my mother."

That was the doctrine. Then secession was settled by the arbitrament of the sword. Lee said, "I have to answer her call, and I cast my fortune with the people of the South." He was true to Virginia.

Alabama, I have been taught that my first duty is to my mother, mother State of mine. I was reared at her knee, taught to pray at her altar places. Trained in her principles at the fireside of Democracy in my State, I will aye be true to them.

Alabama, Alabama, broad the stream whose name thou barest.
Grand thy Bigbee rolls along,
Fair thy Coosa, Tallapoosa, bold thy Warrior dark and strong.
Goodlier than the land that Moses
Climbed lone Nebo's height to see,
Alabama, Alabama, I will aye be true to thee.

I will meet these 27 members of Tammany on the hustings. I will meet them at the judgment bar of the people of my State, and they will determine whether we are to surrender Alabama Democracy, Alabama ideals and principles, and accept those of the Bowery, of Tammany, of Raskob and his group.

I decline to accept them. I knew when I opposed Smith that Raskob had said that he had taken control of the national committee of my party in order to rid the country of the "damnable affliction of prohibition." I knew how the ministers of the Gospel of my State stood in fear and trembling at that announcement. I knew how the Christian women workers, who had preached and crusaded against the liquor traffic and drove it out of my State and the other States, quailed before this strange announcement from the strange head of the Democratic National Committee.

The question was whether they would do that which was best for their firesides, their homes, their Southland, their country, or follow the lead of such a monstrous hydraheaded leadership as we had emanating from Tammany and the ranks of the eastern Republican Party.

Mr. President, I have called upon Raskob to resign. Discredited he stands before the American people to-day, chairman of the great Democratic National Committee, coming down here and stultifying himself, lifting his hand under oath, telling the lobby committee that he knew but little about the whisky ring he has up there, a committee to elect wet Republicans against dry Democrats. He "believed" he was a director, just waving the thing aside.

Then he got on a ship, and he has gone to Rome. He is a chamberlain to the Pope. He is an officeholder in the Catholic kingdom of Italy. He is no doubt now in the royal council discussing the plans and purposes of the Roman Catholic governments on the earth. He is over there, and what does his hired man Friday—Curran—say? He comes out and the lobby committee questions him, and they brought out things which Curran did not know they knew, which Raskob never dreamed would come out. What were they? They disclosed the fact that Raskob, with four others, signed a contract to pay this man Curran \$25,000 a year, Raskob subscribing \$5,000, to go out and help get up money to carry on a propaganda to defeat dry Democrats—think of it—and elect wet Republicans in their places. Have we not come to a miserable pass in the Democratic Party under such miserable leadership?

Listen to what this man Curran said as he testified. Raskob admitted that he had contributed personally—think of that, Senators—\$65,000 to help elect wet Republicans against dry Democrats. Is not that leadership for you with a vengeance in the Democratic Party? How the mighty have fallen with us!

Listen! Senators, this is enough to make you leap out of your seats, if anything can make you leap. Mr. Curran, this brazen agent of Raskob and the Du Ponts, was testifying. I read from a paper of April 16th of this year:

He was directed to reappear again to-morrow for further questioning.

Listen to this:

Asked if he would favor armed revolution—

Do you get that, Senators?—

Asked if he would favor armed revolution against the prohibition law, Curran replied that "We will cross that bridge when we come to it."

My God! What are we coming to in the United States? That is the statement of a hireling of Raskob, a man he has contracted to pay \$5,000 himself, personally, hired to carry on this propaganda; and what is it? A part of it is the failure to disclose whether they are going to have war against the Government for its efforts to enforce the law. That is what it is.

Mr. Curran, would you advocate armed violence against this law?

"We will cross that bridge when we get to it."

He should have been punished. If he had been an ordinary man, no doubt he would have been locked up. If he had been some poor fellow who walked in there and threatened that he was going to start armed revolution against the Government and its authority, somebody would have said, "Take this little hickory-nut head and lock him up." But Mr. Curran has millions back of him. Mr. Curran comes here representing the European program to lay down our law and to set up the bar-room business again, and Alfred Smith is to be the candidate. God help us to deliver the Democratic Party out of such hands.

Mr. President, I was reared a Protestant, trained by a Protestant mother. When I was about 9 years old my father—a doctor, a farmer—and my mother had commenced to have family prayer. One night my father had gone to see some one who

was sick. Bedtime came and my mother had to lead the prayer. I had never heard her pray, except the little prayer that she taught me that will go up to-night from millions of hearthstones, "Now I lay me down to sleep." Two lighted candles were on a little center table and the big Bible was in her lap. She put on her glasses and read the Twenty-third Psalm, this Protestant mother of mine. We all listened. She knelt down and prayed God to bless her children and to make them useful in the world.

Many a summer the grass has grown green,
Blossomed and faded our faces between;
Still with yearning and passionate pain,
Mother, we long for your presence again.

I shall never forget that scene. It has followed me to this good day, blessing and comforting me. I do not want anybody to take from me my religion. I want the Catholic to have his religion; I want the Jew to have his religion; but I want the right to worship as I choose to worship. That is my doctrine, but that is not the Catholic doctrine. Wherever they have the power they have killed religious freedom and set up their religion to the exclusion of all others. I challenge anybody here to deny that assertion. It can not be done. It is the truth the world over.

Then what am I doing? I am fighting for the preservation of American principles. What are they seeking to do to me? To make me doff my hat and bow my knee to this Roman Tammany rule, and I decline to do it!

THE DEFENSE OF JUDGE PARKER

Mr. DILL. Mr. President, I ask unanimous consent to have printed in the RECORD an editorial in the New York World of this date entitled "The Defense of Judge Parker."

This editorial is a commentary on the contention of the Attorney General that a progressive justice of the Supreme Court, Justice Brandeis, had approved the "yellow dog" contract injunction. I think it is very enlightening.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the New York World of Tuesday, April 22, 1930]

THE DEFENSE OF JUDGE PARKER

The Senate Judiciary Committee has voted against the confirmation of Judge Parker as an Associate Justice of the United States Supreme Court. It is possible that a fight in behalf of his nomination will still be made on the floor of the Senate. Meantime, while the matter is still fresh in the minds of the people, it is well to call attention to an injustice which has been done a member of the Supreme Court by those who have been trying to strengthen the case for Judge Parker.

In defending Judge Parker's labor decisions Attorney General Mitchell sought to show that he was following the precedents established by the Supreme Court and that this was his bounden duty under the law and under his oath of office. But the Attorney General did not stop with this. He attempted to show that the form of labor contract which Judge Parker upheld, known to union labor as the "yellow-dog contract," and requiring employees to abjure union membership on pain of losing their jobs, had been declared lawful by no less progressive a jurist than Justice Brandeis. Accepting the Attorney General's statement at its face value, our neighbor the Times says that this particular argument against Judge Parker "had all the stuffing knocked out of it."

Mr. Mitchell's attempt to align Justice Brandeis in support of the closed-shop contract is unfair and should not be allowed to go unchallenged. He cites the dissenting opinion of Justice Brandeis in the Hitchman case as his proof. A careful reading of that opinion fails to substantiate his claim. The majority of the court in this case held that where miners had agreed not to join a union, a union organizer might be enjoined from inducing them to break their contract. Justice Brandeis held that in this case the union organizer was not causing the employees to violate their contract. He was merely seeking promises from them that they would join the union when a large number of them had consented to do so, "with the purpose, when such time arrived, to have them join the union together and strike, unless plaintiff consented to unionize the mine." Under this contract the employee was left free to join the union at any time, but was obligated to withdraw from his employment if he did so. What the union organizer contemplated, therefore, was in the opinion of Justice Brandeis, "clearly permissible under the contract."

It is a far call from this to the defense of the "yellow-dog contract" which has been unfairly attributed to the dissenting justice. The heart of the question is whether an employer can prevent a union organizer from even attempting to persuade a worker to join his union. Justice Brandeis insists emphatically that the organizer and the employees have certain rights which are not infringed by the closed-shop agreements.

PAYMENT OF JUDGMENT TO IOWA TRIBE OF INDIANS

Mr. THOMAS of Oklahoma. Mr. President—

Mr. McNARY. Mr. President, I inquire if the unfinished business has been laid before the Senate?

The VICE PRESIDENT. It is already before the Senate, the Senate having taken a recess last evening.

Mr. McNARY. May I ask the Senator from Oklahoma if he desires to discuss the unfinished business?

Mr. THOMAS of Oklahoma. I merely desire to submit a report from a committee on a joint resolution and ask unanimous consent for its present consideration. There will be no controversy over it, I think.

Mr. McNARY. I yield to the Senator for that purpose.

Mr. THOMAS of Oklahoma. From the Committee on Indian Affairs I report back favorably, with amendments, the joint resolution (S. J. Res. 156) to pay the judgment rendered by the United States Court of Claims to the Iowa Tribe of Indians of Oklahoma, and I submit a report (No. 496) thereon. I ask unanimous consent for the immediate consideration of the joint resolution.

The VICE PRESIDENT. Is there objection?

Mr. McNARY. Mr. President, does the joint resolution merely propose to refer a claim to the Court of Claims?

Mr. THOMAS of Oklahoma. Mr. President, some time ago the Congress granted the Iowa Tribe of Indians the right to go into the Court of Claims. Under that jurisdictional act, suit was filed and judgment rendered in favor of the Iowa Tribe of Indians. At the present session of Congress on the deficiency appropriation bill an item of \$254,000 was carried in order to pay that judgment. At that time I offered an amendment providing the procedure for the paying out of the money, and the Senate agreed to my amendment. In conference, however, the item was eliminated. The money is appropriated, but the Indian Bureau can not make payment without some authority of the Congress. The joint resolution which I have reported, and for which I have asked present consideration, carries that authority as to the method of paying out the money only, the money having already been appropriated.

Mr. McNARY. I have no objection, Mr. President.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the joint resolution, which had been reported from the Committee on Indian Affairs with amendments, on page 2, line 3, after the word "Indians," to strike out "including the shares of their minor children," and in line 5, after the word "Indians," to insert "including minors," so as to make the joint resolution read:

Resolved, etc., That the Secretary of the Interior be, and he is hereby, authorized to withdraw from the Treasury of the United States funds on deposit arising out of a judgment rendered by the United States Court of Claims on claim No. 34677, entitled "The Iowa Tribe of Indians v. The United States," and cause the total sum, less fees and expenses as fixed by the Court of Claims, to be paid in pro rata shares to all members of the Iowa Tribe of Indians of Oklahoma who were alive and properly enrolled or legally entitled to enrollment on the date of said judgment: Provided, That the said Secretary shall cause to be paid in cash all shares due or belonging to competent Indians: Provided further, That the shares of all other Indians, including minors, shall be deposited to their individual credit and be subject to existing laws governing individual Indian moneys.

The amendments were agreed to.

The joint resolution was reported to the Senate as amended, and the amendments were concurred in.

The joint resolution was ordered to be engrossed for a third reading, read the third time, and passed.

INVESTIGATION OF SALE OF GOVERNMENT SHIPS

Mr. McKELLAR. Mr. President, I ask unanimous consent for the immediate consideration of Senate Resolution No. 129, being Order of Business 456 on the calendar. The resolution provides for the appointment of a special committee to investigate the sale of ships by the Shipping Board. It has been reported by two committees, and the Senator from Washington [Mr. Jones] has stated that he had no objection to the consideration of the resolution.

Mr. McNARY. Has it been favorably reported from the standing Committee on Commerce?

Mr. McKELLAR. It has been favorably reported from the standing committee.

Mr. McNARY. And also from the Committee on Audit and Control the Contingent Expenses of the Senate?

Mr. McKELLAR. It has also been reported from the Committee to Audit and Control the Contingent Expenses of the Senate.

The VICE PRESIDENT. Is there objection to the immediate consideration of the resolution?

There being no objection, the Senate proceeded to consider the resolution, which had been reported from the Committee to Audit and Control the Contingent Expenses of the Senate with an amendment, on page 2, line 19, after the word "exceed," to strike out "\$10,000" and insert "\$5,000," and from the Committee on Commerce with an amendment, on page 2, line 1, after the word "Corporation," to insert "and also thoroughly to investigate all construction loans and mail contracts made under or pursuant to the merchant marine act. Said committee shall report to the Senate the facts found by it after such investigations and its conclusions as to any appropriate action or legislation in respect thereto," so as to make the resolution read:

Resolved, That a special committee of five Senators, to be appointed by the President of the Senate, is authorized and directed to make a thorough investigation into all the acts and doings of the United States Shipping Board and Merchant Fleet Corporation and especially into the question of sales of ships by the board, the prices secured, the terms under which ships have been sold, the character and responsibility of the purchasers, the change in terms, and all other facts relating to the conduct of the board and of the Emergency Fleet Corporation, and also thoroughly to investigate all construction loans and mail contracts made under or pursuant to the merchant marine act. Said committee shall report to the Senate the facts found by it after such investigations and its conclusions as to any appropriate action or legislation in respect thereto.

For the purposes of this resolution such committee or any duly authorized subcommittee thereof is authorized to hold hearings, to sit and act at such times and places during the sessions and recesses of the Senate until its report is submitted, to employ such experts and clerical, stenographic, and other assistants, to require by subpoena or otherwise the attendance of such witnesses and the production of such books, papers, and documents, to administer such oaths, and to take such testimony and make such expenditures as it deems advisable. The cost of stenographic services to report such hearings shall not be in excess of 25 cents per hundred words. The expenses of the committee, which shall not exceed \$5,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman.

Mr. WALSH of Massachusetts. Mr. President, I inquire of the Senator from Tennessee, does the resolution contemplate an investigation into the sales of all ships since the inauguration of the Shipping Board or only into sales recently consummated?

Mr. McKELLAR. It covers all sales as reported by the Comptroller General, Mr. McCarl, the general accounting officer of the Government.

Mr. WALSH of Massachusetts. If I am correctly informed, the Shipping Board a few months ago offered for sale and received bids for a number of ships. Were those sales held up?

Mr. McKELLAR. They will be included in the proposed investigation.

Mr. WALSH of Massachusetts. Were those sales consummated or were they held up?

Mr. McKELLAR. I do not know; I can not say as to that.

Mr. WALSH of Massachusetts. I have an impression that the Senator submitted the resolution at the time those sales were in contemplation.

Mr. McKELLAR. No; the resolution was submitted immediately after General McCarl had made his report in which he pointed out a number of transactions that needed investigation.

Mr. WALSH of Massachusetts. Will the Senator please state the limitations in the resolution of investigation?

Mr. McKELLAR. The resolution is very full and will cover all matters which need to be investigated.

Mr. FESS. Mr. President—

The VICE PRESIDENT. Does the Senator from Tennessee yield to the Senator from Ohio?

Mr. McKELLAR. I yield.

Mr. FESS. The question the Senator from Massachusetts asked is in my mind also; we went into it, but I have forgotten whether the resolution goes back so far as to include the sale of ships immediately following the war.

Mr. WALSH of Massachusetts. I suggest that the last clause of the resolution be read.

The VICE PRESIDENT. Let the resolution be read for the information of the Senate.

The resolution as proposed to be amended was again read.

Mr. FESS. It appears that the proposed investigation is to go clear back to the very beginning.

Mr. McKELLAR. Yes; the investigation may go back as far as the committee sees fit to take it, and I think it ought to have the power to go back as far as they see fit to go.

Mr. FESS. The question I wanted the author of the resolution to answer was whether it is intended to investigate the

sales of ships immediately following the war, including all sales from that time up to the present hour?

Mr. McKELLAR. If irregularities in regard to such sales are pointed out in General McCarl's report, of course, they ought to be investigated. The McCarl report will be the basis of the investigation. I think the resolution ought to be broad enough to cover everything that is pointed out by his report, and, in addition, the Senate Committee on Commerce has asked that mail contracts be included, and provision to take care of that aspect has been put in.

The VICE PRESIDENT. The question is on agreeing to the amendments which have been stated.

The amendments were agreed to.

The resolution, as amended, was agreed to.

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Hattigan, one of its clerks, announced that the House had disagreed to the amendment of the Senate to the bill (H. R. 6130) to exempt the Custer National Forest from the operation of the forest homestead law, and for other purposes; requested a conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. COLTON, Mr. SMITH of Idaho, and Mr. EVANS of Montana were appointed managers on the part of the House at the conference.

RELIEF OF FARMERS IN STORM, FLOOD, AND DROUGHT STRICKEN AREAS

The VICE PRESIDENT laid before the Senate the amendment of the House of Representatives to the joint resolution (S. J. Res. 152) to extend the provisions of the joint resolution for the relief of farmers in certain storm, flood, and/or drought stricken areas, approved March 3, 1930, which was, on page 2, line 2, to strike out all after the word "production" down to and including the word "farmers" in line 4.

Mr. WHEELER. I move that the Senate concur in the amendment of the House.

The motion was agreed to.

CUSTER NATIONAL FOREST LANDS

The VICE PRESIDENT laid before the Senate the action of the House of Representatives disagreeing to the amendment of the Senate to the bill (H. R. 6130) to exempt the Custer National Forest from the operation of the forest homestead law, and for other purposes, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. NYE. I move that the Senate insist on its amendment, agree to the conference requested by the House, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Vice President appointed Mr. NYE, Mr. KENDRICK, and Mr. WALSH of Montana conferees on the part of the Senate.

CONSTRUCTION OF BRIDGES

The VICE PRESIDENT laid before the Senate the action of the House of Representatives disagreeing to the amendments of the Senate to the bill (H. R. 9806) to authorize the construction of certain bridges and to extend the times for commencing and completing the construction of other bridges over the navigable waters of the United States, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. JOHNSON. I move that the Senate insist upon its amendments, agree to the conference requested by the House, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Vice President appointed Mr. JOHNSON, Mr. HOWELL, Mr. VANDENBERG, Mr. RANSDALL, and Mr. SHEPPARD conferees on the part of the Senate.

CONSTRUCTION OF PUBLIC WORKS FOR THE NAVY

The VICE PRESIDENT laid before the Senate the amendment of the House of Representatives to the bill (S. 549) to authorize the Secretary of the Navy to proceed with the construction of certain public works, and for other purposes, which was to strike out all after the enacting clause and insert a substitute.

Mr. HALE. I move that the Senate disagree to the amendment of the House, request a conference with the House on the disagreeing votes of the two Houses thereon, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Vice President appointed Mr. HALE, Mr. ODDIE, Mr. SHORTRIDGE, Mr. SWANSON, and Mr. TRAMMELL conferees on the part of the Senate.

RESTRICTION OF IMMIGRATION

The Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 51) to subject certain immigrants born in countries of the Western Hemisphere to the quota under the immigration laws.

Mr. McNARY. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Allen	George	Kendrick	Simmons
Ashurst	Gillett	Keyes	Smoot
Baird	Glass	La Follette	Steak
Barkley	Goff	McCulloch	Stelwer
Bingham	Goldsborough	McKellar	Stephens
Black	Gould	McNary	Sullivan
Blaine	Greene	Metcalf	Swanson
Blease	Hale	Norbeck	Thomas, Idaho
Borah	Harris	Norris	Thomas, Okla.
Brock	Harrison	Nye	Townsend
Broussard	Hastings	Oddie	Trammell
Capper	Hatfield	Overman	Tydings
Caraway	Hawes	Patterson	Vandenberg
Copeland	Hayden	Phipps	Wagner
Couzens	Hebert	Pine	Walsh, Mass.
Dale	Hedin	Ransdell	Walsh, Mont.
Deneen	Howell	Robinson, Ind.	Waterman
Dill	Johnson	Robison, Ky.	Watson
Fess	Jones	Shortridge	Wheeler
Frazier	Kean		

The VICE PRESIDENT. Seventy-nine Senators having answered to their names, a quorum is present.

Mr. WALSH of Massachusetts. Mr. President, I understand that the so-called immigration bill is now pending before the Senate. In connection with the debate upon that measure, I ask to have printed in the RECORD an article which was published in the Railroad Trainmen in April of this year. The article is entitled "Analysis of Statistics of Immigration for December, 1929," and is by Hon. Harry E. Hull, Commissioner of Immigration. It is an excellent analysis and study of the present type of immigrants to this country, with references to the countries from which they come. I think the article is very informative, and that it ought to have a place in the RECORD.

The VICE PRESIDENT. Without objection, the article will be printed in the RECORD.

The article is as follows:

[From the Railroad Trainmen, April, 1930]

ANALYSIS OF STATISTICS OF IMMIGRATION FOR DECEMBER, 1929

(By Hon. Harry E. Hull, Commissioner of Immigration)

In December last, 29,319 aliens, comprising 17,842 immigrants and 11,477 nonimmigrants, were admitted to the United States. The exodus of aliens this month totaled 23,626, of which number 18,746 were nonimmigrants going abroad for a short stay or leaving after a visit in this country, the remaining 4,880 being emigrants who left for permanent residence outside the United States.

During the six months from July to December, 1929, a total of 252,590 aliens, including 136,970 immigrants and 115,620 nonimmigrants were admitted and 148,540 (28,647 emigrants and 119,893 nonemigrants) aliens departed, resulting in an increase of 104,050 in the alien population of this country. In the same period a year ago when 258,190 aliens were admitted and 149,423 departed, the net increase was 108,767.

Over three-fourths of the 252,590 aliens admitted during the last six months came in by water, 194,633, or 77.1 per cent, entering the country at our seaports, while 47,255 came in over the northern land border and 10,702 via the southern land border. The four largest groups admitted under the immigration act of 1924 included 71,096 immigrants charged to the quota, 62,593 residents of the United States returning from a visit abroad, 42,881 natives of nonquota countries, principally Canada and Mexico, and 35,814 visitors for business or pleasure. Other principal classes under the act were 19,813 husbands, wives, and unmarried children of American citizens, and 13,510 transits passing through the country on their way elsewhere. Compared with the same period a year ago, all of these principal classes show an increase, except the quota immigrants and the natives of nonquota countries. The decrease of the latter class was mainly due to the decline in immigration from Mexico.

Two-fifths of the 136,970 immigrant aliens entering the country during the six months from July to December last, came from countries in the Western Hemisphere, Canada and Mexico contributing the major portion as usual. These two countries, with 39,684 and 8,589, respectively, contributed 35.2 per cent of the total. Europe sent us 78,099 immigrants in the same period, Great Britain now leading the list with 15,511, followed by Germany with 13,802, and Italy with 12,839. The Irish Free State sent us 9,713, Poland 5,030, Scandinavian countries 3,644, Czechoslovakia 2,663, and France 2,068. The other countries of Europe combined sent 12,829, or 16.4 per cent of the total immigrants from that Continent.

Compared with the corresponding period a year ago, immigration from Mexico during the six months from July to December, 1929, shows not only the largest numerical but largest proportionate decrease, the number of immigrants coming from that country dropping from 25,020 to 8,589, or 65.7 per cent. While immigration from all Europe was approximately the same as a year ago, there was a decrease of 7,956, or 36.6 per cent, from Germany, and 4,135, or 53.2 per cent, from the

Scandinavian countries; but a comparatively large increase of 5,212, or 50.6 per cent, from Great Britain; of 3,373, or 35.6 per cent, from Italy; and 4,091, or 13.4 per cent, from Canada. There was a small increase in immigration from the Irish Free State of 356, or 3.8 per cent.

Aliens deported under warrant proceedings numbered 8,309 for the six months ended December 31, 1929, an increase of 2,652, or 47 per cent, over the 5,657 aliens deported during the corresponding period last year.

Mr. McNARY. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator will state his parliamentary inquiry.

Mr. McNARY. Will the Chair state the pending amendment?

The VICE PRESIDENT. The pending amendment is that proposed by the Senator from Maine [Mr. GOULD] to the bill, which is the unfinished business. The amendment will be stated.

The CHIEF CLERK. The Senator from Maine [Mr. GOULD] offers the following amendment:

Strike out all after the enacting clause and insert:

That this act may be cited as the immigration act of 1930.

SEC. 2. Subdivision (c) of section 4 of the immigration act of 1924, as amended (which specifies certain geographical areas, immigrants born in which are defined to be nonquota immigrants), is hereby repealed; but the geographical areas specified in such subdivision shall continue to be excepted from the provisions of section 11 of such act, as amended (relating to national origins), in the manner and to the extent provided in such section 11.

SEC. 3. (a) For the purpose of regulating immigration from certain countries of the Western Hemisphere section 11 of such act, as amended, is amended by adding after subdivision (e) thereof the following new subdivision:

"(f) The annual quotas of the nationalities hereinafter specified shall be as follows, such figures approximating, in the case of Canada and Newfoundland, Mexico, and Cuba, four times the number of American citizens departing thereto for permanent residence during the fiscal year ended June 30, 1929, and, in the case of each of the other countries, the number of immigration visas issued during the fiscal year ended June 30, 1929, to immigrants born in such country, with a minimum quota of 100 for each nationality:

"Argentina, 375; Bolivia, 100; Brazil, 517; Canada and Newfoundland, 67,556; Chile, 230; Colombia, 548; Costa Rica, 163; Cuba, 860; Dominican Republic, 240; Ecuador, 129; El Salvador, 188; Guatemala, 236; Haiti, 100; Honduras, 208; Mexico, 2,900; Nicaragua, 278; Panama, 355; Paraguay, 100; Peru, 305; Uruguay, 100; Venezuela, 586."

(b) Subdivision (f) of section 11 of such act, as amended, is amended by striking out "(f)" and inserting in lieu thereof "(g)."

(c) Section 12 of such act, as amended, is amended by adding at the end thereof the following new subdivision:

"(f) For the purposes of this act, Canada and Newfoundland shall together be treated as a separate country."

SEC. 4. (a) Section 11 of such act, as amended, is amended by adding after subdivision (g) thereof, as above relettered, the following new subdivision:

"(h) Not more than 1 per cent of the total number of immigration visas which may be issued in any fiscal year to quota immigrants of any nationality shall be issued in such year to quota immigrants of such nationality who were born in the colonies, dependencies, or protectorates of the country by which such nationality is determined; except that in the case of any nationality the quota for which is less than 10,000 the above maximum shall be 100 instead of such 1 per cent."

(b) Subdivision (g) of section 11 of such act, as amended, is amended by striking out "(g)" and inserting in lieu thereof "(i)."

SEC. 5. Notwithstanding the provisions of section 3 of this act, the quota of Mexico for the fiscal year beginning July 1, 1930, shall be 11,021, and for the fiscal year beginning July 1, 1931, shall be 6,961.

SEC. 6. This act shall take effect July 1, 1930; but immigration visas may be issued prior to such date to quota immigrants of any nationality specified in subdivision (f) of section 11 of the immigration act of 1924, as amended by this act, which visas shall not be valid for admission to the United States before July 1, 1930. In the case of quota immigrants of any such nationality, the number of immigration visas to be issued prior to July 1, 1930, shall not be in excess of 10 per cent of the quota for such nationality, and the number of immigration visas so issued shall be deducted from the number which may be issued during the month of July, 1930. In the case of such immigration visas issued before July 1, 1930, the 4-month period referred to in subdivision (c) of section 2 of the immigration act of 1924 shall begin to run on July 1, 1930, instead of at the time of the issuance of the immigration visa.

SEC. 7. That with respect to quotas after June 30, 1930, for any nationality other than those within section 4 (c) of the immigration act of 1924 (43 Stat. L. 153), such provisions of that act, or any act amendatory thereof, as relate to quotas based on national origins (as referred to in subdivision (b) of section 11 of such act) are hereby repealed; subdivision (a) of section 11 of the immigration act of 1924 (which provides for quotas based on the United States Census of 1890) is amended by striking out the figure "2" and inserting in lieu thereof the figure "1½"; and the quotas for the fiscal year beginning July 1, 1930, and for each fiscal year thereafter shall be determined and pro-

claimed (including any annual revision thereof, if necessary) in the same manner as such act prescribed for quotas for the fiscal year beginning July 1, 1924, and shall be final and conclusive for every purpose.

The VICE PRESIDENT. The question is on the amendment, in the nature of a substitute, offered by the Senator from Maine.

Mr. GOULD. Mr. President, I have debated this matter on several occasions before. I think the measure that I have offered as an amendment is the best immigration bill for all concerned, for all interests; and that takes in a big scope. I appreciate that.

It is mighty hard to get anything in the way of an immigration bill that will carry by a majority. There are so many opinions about the different elements connected with an immigration bill that I guess we all know it is a mighty hard thing to get a majority of the Senate to agree to any one thing.

Mr. WALSH of Massachusetts. Mr. President, will the Senator yield?

The VICE PRESIDENT. Does the Senator from Maine yield to the Senator from Massachusetts?

Mr. GOULD. Yes, sir.

Mr. WALSH of Massachusetts. Will the Senator state in just what particulars his amendment differs from the bill introduced by the Senator from Georgia [Mr. HARRIS], other than the fact that his amendment provides for a fixed quota upon immigration from Canada?

Mr. GOULD. For one thing, it is more agreeable than the Harris bill to those who are advocating permitting Mexican labor to come in here.

Mr. WALSH of Massachusetts. Does the Senator's amendment provide for the possible immigration to this country of more Mexicans than the Harris bill provides for?

Mr. GOULD. It certainly does.

Mr. WALSH of Massachusetts. How much more?

Mr. GOULD. The bill that I propose as an amendment provides for 11,000 for the first year and about 7,000 for the next year. I am giving round figures only.

Mr. WALSH of Massachusetts. What does the Harris bill provide for each year? I will ask the Senator from Georgia what number of immigrants can migrate to this country from Mexico under his bill?

Mr. HARRIS. Between 1,200 and 2,000.

Mr. WALSH of Massachusetts. So there is quite a substantial difference in the number of immigrants?

Mr. GOULD. Yes, sir.

Mr. WALSH of Massachusetts. I thank the Senator. What further differences are there between his amendment and the so-called Harris bill?

Mr. GOULD. The whole Western Hemisphere is affected by both these bills, and it is a question which one is the better. The Johnson bill, which I have offered here as an amendment, permits a reasonable number of immigrants from the whole Western Hemisphere. It takes care of about what is coming in every year now, and that is about all they might be expected to ask for.

Mr. WALSH of Massachusetts. How many immigrants from Canada does the Senator's amendment provide for?

Mr. GOULD. It provides for 67,000 from Canada and Newfoundland.

Mr. WALSH of Massachusetts. Newfoundland and Canada are treated as separate countries under the Senator's amendment, as I understand.

Mr. GOULD. Yes.

Mr. WALSH of Massachusetts. How many are admitted from Newfoundland, and how many from Canada?

Mr. GOULD. They come in through the same channels, and in a case like this should be considered as one country.

Mr. WALSH of Massachusetts. I understand that care has been taken to fix the quota from Canada to represent a figure in excess of the present immigration to this country.

Mr. GOULD. That came about in this way: The Johnson bill provides in certain instances that where one American has gone to one of these foreign countries, four citizens of that country may come here. That happens to figure out in this way for Canada, to their advantage, perhaps, if they want to come here; but that quota of 67,000 for those two countries, Canada and Newfoundland, is in excess of the number that have been coming over here in the past few years. I believe 55,000 is the most that have come in any one year for a long time. This happens to figure out, on the 4-to-1 basis, a little more than that.

Mr. WALSH of Massachusetts. Briefly stated, the Senator's amendment provides, first, for a strict quota upon Canadian immigration, while the Harris amendment provides for no quota of immigration from Canada. Secondly, the Senator's amendment provides for more liberal immigration from Mexico than

the Harris bill. Thirdly, the Senator thinks that his amendment is not so likely to create unpleasant relations with the South and Central American countries as the Harris bill.

Have I briefly stated the differences between the Senator's amendment and the bill offered by the Senator from Georgia [Mr. HARRIS]?

Mr. GOULD. I think the Senator from Georgia will explain to the Senator that he either intentionally or unavoidably omitted Canada and Newfoundland in the way that I should be glad to have the measure go through.

Mr. DILL. Mr. President, will the Senator yield?

Mr. GOULD. I yield.

Mr. DILL. Why does the Senator provide for a quota on Canadian immigrants?

Mr. GOULD. Because they are the best people we have coming across the border.

Mr. DILL. This measure allows 67,000. What is the reason for having any quota on Canada?

Mr. GOULD. You might say it is equivalent to not having any quota, because that is more than was ever known to come over from Canada.

Mr. DILL. What is the reason for putting the quota on?

Mr. GOULD. Just for the reason I am telling the Senator—it puts them on the basis of 4 to 1.

Mr. DILL. But the Senator would create two new methods of quotas. Now, there is a quota system for Europe, and the Senator would create an entirely new quota system for Canada, Cuba, Newfoundland, and Mexico. Then he would create another system of quota for South America. What is the idea of having three kinds of quotas?

Mr. GOULD. There is good reason for it.

Mr. DILL. What is the reason?

Mr. GOULD. Let me explain it to the Senator. This is a great question. There is a whole lot to it, and I am not going to undertake to tell the Senator all about it in this one afternoon, but I will give him a little synopsis of it in just a few words.

For one thing, Canada is our greatest customer. We sell Canada more raw material, we export more to Canada, than to any other country in the world. We take from Canada only about one-third of what we export over to the Canadians.

Mr. DILL. Mr. President, will the Senator yield?

Mr. GOULD. I yield.

Mr. DILL. The Senator is discussing commerce. I asked about the quota of human beings.

Mr. GOULD. I will get around to that if the Senator will just let me.

We have been on friendly terms with Canada for over a hundred years. Canadians in our country are as numerous as any other or all other nationalities, all up and down the line, from Halifax to Vancouver. Our people go over and marry Canadian girls, and Canadians come over and marry our girls; they marry back and forth. We are one class of people for 4,000 miles along the Canadian border, from New Brunswick to Vancouver.

Do you suppose we want to get in trouble with those people, who have relatives on both sides of the line? It is to our interest to be good to the Canadians, as they are good to us. We have billions of dollars invested in Canada. It is proper that we should get along with those people the very best we can. That is business. The whole thing is business, is it not? It is not a matter of pride, or whether we like the looks of Mexicans more than of Canadians, or of an Englishman more than of an Italian, or anything of that kind. It is a matter of business with us, and we should treat it as such.

The idea of drawing a hair line up and down the border and saying, "It does not make any difference whom you married or who your friend is over here, you stay on the other side of that imaginary line," to my mind is one of the most absurd things that could be mentioned.

Now the Senator wants to know why Canada should be treated differently from the way Europeans or Asiatics are treated. They are a long way from us. They are a different kind of people. They are a different race entirely, everyone of them. They have different habits. They have the distinction of being—well, the Senator knows what we call them when they come over here. They come over here as railroad workers; and lots of good people come over, I am not denying that; but the general riffraff, 90 per cent of the people who come over from the European or the Asiatic countries come over here as cheap labor. We do not want those people. We might just as well state it as plain as day, it is not that kind of people we want to come over here.

I can show the Senator letters from some of the leading people of Canada saying, "Put on your quota if you wish to; we will be glad to have it go on." Why do they say that? "We

are educating bright, smart young men in all the colleges, of which we feel very proud; and we have the best colleges in the world," they say up in Canada. The moment they get their diplomas they strike for the cities of the United States, where they can get bigger fees as lawyers and doctors or in the other professions for which they are trained.

This is a very peculiar situation. You have to take it as you find it. Any man who has lived as near the Canadian border as I have all my life can perhaps appreciate the conditions existing between the United States and Canada better than one who has lived away down South or away out West, who sees a Canadian only once in a while.

Mr. DILL. Mr. President, will the Senator yield?

Mr. GOULD. I yield.

Mr. DILL. This quota of 67,000 will not stop the students who graduate from coming into the United States, because it is three and a half times as many as now come in. But it will not do any good from the standpoint of keeping people out.

Mr. GOULD. No; it is not necessary to have that.

Mr. DILL. What I want to get at is, why we should have a quota at all.

The Senator has made the argument better than I could have made it as to why there should not be a quota. Our families are intermarried back and forth across the line, we are one people, speaking the same language, having the same customs. We do not know whether we are Canadians or Americans along that border unless we know each other, and why should we set up a quota system to annoy the Americans and Canadians who want to travel back and forth across the line?

Mr. GOULD. It should not annoy anyone, because it happens to fall into that line of what Congressman JOHNSON has lined up as 4 to 1.

There are a great many Americans who go over and settle in Canada, going there either as factory men or as agriculturists, and so on. There are more who go to Canada than to any other country. That makes this 4-to-1 quota come a little higher for Canada than for South America or any other country. Does that answer the question to suit the Senator?

Mr. DILL. No; the Senator has not answered my question at all, for this reason: The Senator does not tell why we need any quota; he does not give any reason for a quota.

Mr. GOULD. I did not draw the bill, but I believe it is the best bill that has been offered.

Mr. DILL. The Senator helped to report out the bill of the Senator from Georgia, and I can not understand why he deserts the Senator from Georgia, when the Senator from Georgia has a real bill here which ought to be passed.

Mr. GOULD. He has a good bill. There is merit in every one of the amendments that have come up. There is something good in them. But I believe this is the best one of all. It has more meat in it. It has more sense in it.

Mr. ASHURST. Mr. President—

The VICE PRESIDENT. Does the Senator from Maine yield to the Senator from Arizona?

Mr. GOULD. I yield.

Mr. ASHURST. I desire to direct the Senator's attention to some offensive meat in his substitute. The Senator's amendment sets up quotas as follows:

For Argentine, 375; Bolivia, 100; Brazil, 517; Canada and Newfoundland, 67,556; Chile, 230; Colombia, 548; Costa Rica, 163; Cuba, 860; Dominican Republic, 240; Ecuador, 129; El Salvador, 188; Guatemala, 236; Haiti, 100; Honduras, 208; Mexico, 2,900; Nicaragua, 278; Panama, 355; Paraguay, 100; Peru, 305; Uruguay, 100; Venezuela, 586.

Then the Senator, in section 5, further provides:

SEC. 5. Notwithstanding the provisions of section 3 of this act, the quota of Mexico for the fiscal year beginning July 1, 1930, shall be 11,021, and the fiscal year beginning July 1, 1931, shall be 6,961.

At this time when bread lines are established in every city in our land; when workingmen in the land of their birth or adoption are pleading for the right to earn their daily bread, the Senator proposes to be a party to flooding this country with more Mexican labor. That is the "meat" to which I object, and I move to strike out section 5 of this substitute bill.

The VICE PRESIDENT. The Senator's amendment to the amendment will be entertained when he has the floor for the purpose of moving it.

Mr. GOULD. Mr. President, that matter has been explained so many times that it seems needless for anyone to go into any further discussion of it. There is certain labor to be performed in the Imperial Valley, and in Arizona, and in that section—

Mr. ASHURST. Will the Senator yield? The Senator makes the old plea that we need these men for labor. Let those who employ labor pay decent wages, and American working men by the thousands will be found ready and willing to work in

the fields, on the farms, in the mines, and in the factories. Men by the thousands all over this country are now pleading for the right to work as agricultural laborers in the fields of our country, and the Senator stands there with the time-worn argument that we must have cheap labor in order to maintain our country. That idea exploded a decade ago. The Government does not owe any man a livelihood, but it does owe every man here an opportunity to earn a livelihood.

Mr. GOULD. Let me ask the Senator one question. Does the Senator know of one instance of one employer who employs Mexican labor, and why?

Mr. ASHURST. The employer will usually employ labor as cheaply as they may; that is human nature.

Mr. GOULD. That is the only answer the Senator has?

Mr. ASHURST. That is a part of my answer.

Mr. GOULD. That does not answer the question.

Mr. ASHURST. The employer, sometimes moved by a desire for higher profits, will ask for a high tariff on his manufactured article and for free trade on labor.

Mr. GOULD. The statement has been made here and is undisputed that the railroad man, the fruit grower, the vegetable grower hires hundreds and thousands of laborers such as the Mexicans are able to furnish because he can get the Mexican labor to do the work. He pays them just as much as he pays to the Americans, black or white.

Mr. ASHURST. Mr. President, let the fruit grower and the manufacturer pay a decent wage, and he will never find a scarcity of labor. If the Senator thinks there is no scarcity of work, let him lay aside his senatorial toga and go out in a pair of O. K. boots and a pair of Levi Strauss overalls on and try to get a job, and he will walk the roads and streets of this country for weary months in search of employment. It is easy enough, sitting here, to assert that we can not obtain labor unless we import cheap labor, but, I declare, those who vote to import cheap labor for the farmers of Imperial Valley in California or for Arizona or elsewhere, or for the mills of New England will rue their action. A decade ago the American people said, "If this is to be a protective tariff country, and if we are going to have a protective tariff as a policy, you shall not have free trade on labor." So be it. You have made your choice. You have chosen protective tariffs. By the heathen gods, you shall also have a high tariff on labor.

Mr. GOULD. The Senator has only told one side of the story. I can not holler quite as loud as he can [laughter], but I can tell the other side.

The Senator has told the truth, that New Hampshire, Maine, Massachusetts, and like States, will prefer and do employ American labor, but, as I understand it, Arizona and the hot countries down there, the Imperial Valley and that section, is a different proposition entirely.

Mr. ASHURST. If every man and every woman in my State should ask me to vote to admit cheap labor into the United States, I would walk out through the door of this Chamber, never to return, before I would vote to bring cheap labor into the United States.

Mr. GOULD. Very well; that may be the theory of the Senator—

Mr. ASHURST. I will stand on it.

Mr. GOULD. It is a theory, just the same. I have sat on the Immigration Committee with the senior Senator from California [Mr. JOHNSON] for three years, and I think he will agree that I have been as constant a listener to all the testimony that has come in from all sections of the country as any member of the committee. I am not going into any more argument about this matter, because it has been argued for over a week, and I do not know of anything more that could be said unless we repeat something that has been said, and that is what the Senator and I are doing now, so let us go no further with that. [Laughter.]

Some of these people from Arizona or from California or some other State could explain better than I can the needs for Mexican labor. I can tell the Senator why we want the Canadian labor—we have to have it.

Mr. ASHURST. Why? Can we not obtain American labor?

Mr. GOULD. No; we can not get American labor.

Mr. ASHURST. I deny that. I say you can.

Mr. GOULD. Very well; the Senator can deny it, but I know it. [Laughter.]

Mr. ASHURST. I therefore deny something the Senator knows.

Mr. GOULD. Here is the labor situation—

The VICE PRESIDENT. The Senator will suspend a moment. If the Senator from Arizona desires to interrupt, will he not please address the Chair and get the consent of the Senator from Maine?

Mr. GOULD. I will give the Senator one instance. I was in the lumber business and the sawmill business for 25 years. The best, what is called skilled labor now, is the Canadian French, particularly the Quebec French. They know how to use an axe.

We could get those people to come over and do more execution and render better service in the woods on a drive and in the sawmills than any people we could find in part of the country. Why? Let me give an instance.

Ten or twelve years ago we had a labor condition worse than it is now. There were a lot of idle laborers in our country. We appealed to the Secretary of Labor to let up a little and let some more Canadians come over to help us. His reply was, "No; you must employ what idle labor there is here." "Where are they?" we asked. He said, "Boston is full of them." We went down and got a whole trainload of them, took them up there, and landed them in camp just about dusk one night. These poor tramps were as empty as tin cans. We filled them up with supper and breakfast. The first one who came out in the morning after breakfast saw an axe sticking in the log. He went over and picked it up and said, "What do you do with that thing?" That is a typical instance of what they knew about going into the woods and using an axe. It was hardly a week before the tote road, as we call it, was all broken down by them getting back to the city, where they could sit around and smoke and talk and enjoy themselves. They would not work in the Maine woods nor in the New Hampshire woods nor in any other woods.

Mr. ASHURST. Mr. President, will the Senator yield further?

The VICE PRESIDENT. Does the Senator from Maine yield to the Senator from Arizona?

Mr. GOULD. I yield.

Mr. ASHURST. If the mills of whom the Senator speaks had paid a decent wage, he would have found American brain and muscle ready to work.

Mr. GOULD. It was not a matter of wages at all. We wanted to get the work done, and we were willing to pay anything to have it done. We could not find among the Italians and Bulgarians and men of that type loafing around the cities any who knew anything about the work we had to have done. That is what we wanted—we wanted the work done, and it was not a matter of wages.

Mr. ASHURST. I thought the Senator said a moment ago that he took some Americans from Massachusetts into the Maine woods.

Mr. GOULD. No; I did not say Americans. I said we went down there and took a trainload of idle men up to the Maine woods.

Mr. ASHURST. Now the Senator says they took Italians and Bulgarians! [Laughter.]

The VICE PRESIDENT. The Senate will be in order.

Mr. ASHURST. Mr. President, will the Senator yield further?

Mr. GOULD. What is the use of arguing in that way? The Senator knows as well as I do, and probably better, that he could get Mexicans to come over into his State and do more work for the same money than he could get anybody in the United States to do. What is the use to deny it?

Mr. ASHURST. Mr. President, will the Senator yield?

Mr. GOULD. Very well.

Mr. ASHURST. Let us explore that statement. The Senator said, "We can go over into Mexico and get Mexicans who will do as much labor as the American will do for half the wages." Is that the Senator's statement?

Mr. GOULD. No; that is not my statement.

Mr. ASHURST. What is the Senator's statement?

Mr. GOULD. No; that is not the idea at all. They will come over and do the work, and they will do work that the Senator can not hire his loafers around there to do at all. That is the idea.

Mr. ASHURST. I say that a remedy in part for unemployment is to stop the influx of foreign labor coming into the United States and to pay decent wages to those who are here. America has lighted a torch of leadership; we have set up a high standard in America. We assert in our political speeches and in our political philosophy that we are trying to afford the workmen of the United States better opportunities, better chances in life than may be found elsewhere. We say that in America we do not bind labor as indentured servants. We say in America that the laborer's day shall be divided in three parts—one-third for labor, one-third for recreation, and one-third for repose.

America has, I believe, abandoned the idea that there is any real economic value in "cheap labor."

I say to the Senator that his own great State and all the other States will improve more rapidly if and when they begin to employ home labor at decent wages rather than looking over the border to find French Canadians in Quebec or some of the nationals of Peru, Chile, Mexico, or Brazil. The remedy is to adopt the proposal of the Senator from Georgia [Mr. HARRIS], or still better, the amendment proposed by the Senator from Alabama [Mr. BLACK], for which on yesterday my colleague and I voted, proposing an absolute embargo upon all admissions into the United States for the next five years.

I thank the Senator.

The VICE PRESIDENT (rapping for order). The Chair must state to the Senator from Maine that he can yield only for a question. If he yields further for anything else than a question, he will lose the floor.

Mr. ASHURST. Mr. President, I enjoy the music of the President's gavel. [Laughter.]

The VICE PRESIDENT. The Senator from Arizona will be in order.

Mr. ASHURST. I will.

The VICE PRESIDENT. The Senator from Maine has the floor.

Mr. ASHURST. If the Chair had not told me, I would not have known it. [Laughter.]

The VICE PRESIDENT. The Senator from Arizona will be in order. The Senator will please take his seat.

Mr. ASHURST took his seat.

The VICE PRESIDENT. The Senator from Maine has the floor.

Mr. ASHURST. Mr. President, will the Senator from Maine yield to me?

The VICE PRESIDENT. Does the Senator from Maine yield to the Senator from Arizona?

Mr. GOULD. No; I do not yield. I want to make a remark now myself.

The VICE PRESIDENT. The Senator from Maine declines to yield.

Mr. GOULD. I am very sorry the Senator from Arizona has not gotten clear around the globe. He started in Arizona; he has been up in Canada; he has been over across the water; and he has taken in the entire globe with the exception of China. If the Chair had let him alone a moment longer I think he would have included China and would have told us all about China.

But the Senator from Arizona knows that what I have told him is the truth about Mexican labor coming into Arizona. He can not deny that I have told him the truth about Canadians coming over the border into all our Northern States from Halifax to Vancouver. I think I know a little something about the immigration business. I can not hope to expound it as well as some of the good linguists in the Senate, and I can not get all over the world in five minutes as the Senator from Arizona did; but I know a little about conditions on the Canadian border. I have had evidence enough submitted to me about the Mexican border to know something about it, too.

The States or countries in the Western Hemisphere which the Senator mentioned have been given all the quota they need, according to the statistics which have been presented with reference to immigration which has been coming into the United States. We have given them all they want. I have not heard any complaint about their wanting any more. If they do, this is not the last session of Congress and we may be able to help them out hereafter. But if the Johnson bill, which has been approved by the Immigration Committee in the House, is the nearest thing to a good bill, a reasonable bill, and a satisfactory bill that can be had, then I must admit that I do not know anything about the matter of immigration.

The VICE PRESIDENT. The Senator from Arizona endeavored to propose an amendment. Does he desire to present it at this time?

Mr. ASHURST. Mr. President, at this juncture I move to amend—

Mr. DILL. Mr. President, does not the Senator think it would be better to defeat the entire substitute and get rid of all the bad features of it?

Mr. BLACK. Mr. President, I agree it would be better to defeat them all, but the experience we have had in voting on a number of questions relating to immigration, and the reluctance of the high-tariff Senators who believe in a high tariff for manufacturers to vote for a high tariff for labor, would indicate to my mind that it would be better for the Senator to go ahead and offer his amendment and see if we can not get the matter settled in that way.

Mr. ASHURST. Mr. President, I now wish formally and heartily to tender an apology to the Chair. I meant no indignity toward the Chair.

The VICE PRESIDENT. The Chair is satisfied of that.

Mr. ASHURST. I now move to strike from the bill section 5, and in support of my motion I desire to make a very brief statement. We have set up a quota for the various countries of the Western Hemisphere. We have given to Mexico 2,900 annually. Then it is proposed that Mexico and her nationals shall have some special privilege, to wit, that in addition to the quota, 11,021 persons may come in for the next ensuing fiscal year and that in the following fiscal year 6,961 persons shall enter.

Mr. NORRIS. Mr. President, will the Senator yield?

The VICE PRESIDENT. Does the Senator from Arizona yield to the Senator from Nebraska?

Mr. ASHURST. I yield.

Mr. NORRIS. In order that I may comprehend better what his argument is, I wish the Senator would read the section which he proposes to strike out.

Mr. ASHURST. It is section 5.

Mr. NORRIS. Is it section 5 of the substitute offered by the Senator from Maine?

Mr. ASHURST. Yes; of the substitute proposed by the Senator from Maine, which reads, as follows:

Notwithstanding the provisions of section 3 of this act the quota of Mexico for the fiscal year beginning July 1, 1930, shall be 11,021 and for the fiscal year beginning July 1, 1931, shall be 6,961.

Mr. NORRIS. Is that all of the section?

Mr. ASHURST. That is all of that section.

Mr. NORRIS. What would it be for the fiscal year ending July 1, 1932?

Mr. ASHURST. It would be 2,900 annually thereafter.

Mr. NORRIS. According to section 3, then?

Mr. ASHURST. Yes.

Mr. NORRIS. In other words, the exception included in section 5, as I understand it, runs through two fiscal years?

Without that provision what would be the number entitled to come in during the fiscal year?

Mr. ASHURST. It would be 2,900 annually.

Mr. NORRIS. How many are coming in now?

Mr. ASHURST. My colleague, who is well posted, gave figures; but if there is one person coming in from Mexico who is thereby displacing one American laborer, that is exactly one too many.

Mr. HARRIS. Mr. President, will the Senator yield?

The VICE PRESIDENT. Does the Senator from Arizona yield to the Senator from Georgia?

Mr. ASHURST. I yield.

Mr. HARRIS. In answer to the question of the Senator from Nebraska, an average of 55,000 came over in the past two years. In the last two months there has been a smaller number, proportionately.

Mr. NORRIS. Oh, no; not 55,000?

Mr. HARRIS. Yes; 55,000 a year. Probably 50 per cent more than that number really came over. We know that 55,000 came, and we know it is very difficult to ascertain the exact number who are coming.

Mr. JOHNSON. Mr. President, I fear that my friend from Arizona [Mr. ASHURST] was a little harsh with my friend the Senator from Maine [Mr. GOULD]. The Senator from Maine has suffered, as he told, for three years as a member of the Immigration Committee over which I presided. He is now the chairman of that committee, so that his suffering there has assumed a new form. I think he had sufficient punishment serving upon the Immigration Committee under the chairman who presided over it for those three years to be immune here on the floor.

But let me explain, if I can, what I think was in the mind of Congressman JOHNSON in the presentation of his measure. I endeavored to do it the other day in drawing a comparison between the two measures—the Harris bill and the House bill—and I do it now with some seriousness because of the importance of this legislation.

In the Immigration Committee while I was chairman and subsequently in like fashion in the House committee, were held very elaborate hearings upon a bill for the restriction of Mexican immigration. The only thing that it was sought to remedy, as has repeatedly been stated upon the floor, by the bills which have been pending before the Immigration Committees, is Mexican immigration. That has been the source of a great deal of irritation to many of us and it has been, in the opinion of many, the source of a great wrong to our own people. In the endeavor to remedy that, various measures before the two committees have been pending for some years past. When the hearings were held by the Senate committee there was an attempted demonstration, such as the Senator from Maine has endeavored to recall to the Senator from Arizona, that there were certain

classes of labor in this country that would be performed and could be performed only by Mexicans, and that our own people would not undertake that peculiar kind of labor. I neither subscribe to the contention thus presented nor do I deny it, but that was the testimony. Among others who testified, one of the strongest statements made before our committee was by the Senator from Wyoming [Mr. KENDRICK], who is familiar with conditions in his particular State, and with what is essential in the sugar-beet fields there. The Senators from Colorado likewise made effective statements, and from the State which I represent in part, the State of California, and from the State which the Senators from Arizona represent, there came various civic organizations, chambers of commerce, agricultural associations, and the like, who all harped upon the one string, the necessity in various industries for Mexican labor. Out of the discussion there finally emerged a measure in the House and one in the Senate. Now for the first time, in reality, there is before the Senate an opportunity to remedy the situation and to deal with the question of Mexican immigration.

In order that Senators may understand something of the seriousness of the situation, let me say to them that the vital statistics of the State of California, which have been released but a short time ago, show that one-sixth of the births in the State of California to-day are Mexican. It seems incredible, because there is no such proportion of Mexicans to the whole population in that State, and there is no such proportion in any of the States. I take it, of Mexican population. The controversy has grown acute in the West between those who insist upon the necessity for Mexican labor and those who deny that necessity and desire restriction of immigration. On the one side are the big interests, the farming and agricultural organizations, the chambers of commerce, and the like, begging and pleading that we pass no bill at all. On the other side are the representatives of labor, social workers, and others asking that we enact legislation controlling and restricting Mexican immigration.

Long ago it seemed to me essential because of the peculiarities—I do not care to dwell upon them or to indulge, indeed, in any criticism of peoples of other lands—it seemed to me essential that something should be done to curb, at the earliest possible time, with the least possible harm, the immigration that thus is coming to us from Mexico.

The committee of the House of Representatives recently held very elaborate hearings; other elaborate hearings were also held by the Agricultural Committee of the Senate, which is presided over so ably by the Senator from Oregon [Mr. McNARY]. In the hearings before his committee, held within the last two or three weeks, the representative of the Federal Farm Board appeared, and he made very plain—and his view has been no secret during the years—what his view was in respect to immigration. All along the line the same sort of thing has appeared, with the line of demarcation, as I have stated, very plainly shown, and with the difference of viewpoints becoming, with the passage of time, more and more accentuated.

The House thought it would find a solution and solve the problem in its bill. There are parts of the bill which seem to me to be somewhat far-fetched, but it has one virtue, namely, that it proposes to fix a definite, specific number of immigrants who may come from other countries of the Western Hemisphere and from Mexico; and, I assume upon the theory that has been spoken of here so often, it deals with every country of the Western Hemisphere rather than with one alone.

With my peculiar directness of approach to a problem, I would have preferred that we deal with Mexico alone, and reach our conclusion in regard to immigration from that country, because that was the only country which would require upon our part activity and the only country from which came any menace or any danger to our people from immigration. The Senate, however, in its wisdom, has determined that it does not desire to do anything of the sort; and now have come before us two measures, the one which has been approved with practical unanimity by the committee of the House of Representatives; the other, introduced by the Senator from Georgia [Mr. HARRIS], which comes from a part of the Senate Committee on Immigration. In the latter I challenge Senators to show upon what basis the computation will be made, or with any degree of accuracy to determine the number of immigrants who shall come from Mexico.

Mr. HARRIS. Mr. President—

The VICE PRESIDENT. Does the Senator from California yield to the Senator from Georgia?

Mr. JOHNSON. I yield.

Mr. HARRIS. Those who are opposed to this legislation know very well how the computation is made. They know it is made just as other computations are made in connection with immigration. In fact, that is the only way they can be made. I stated on the floor yesterday that the Commissioner of Immi-

gration said that according to their estimate the number who could come from Mexico would be between 1,500 and 2,000. I know of no better authority than the Commissioner General of Immigration in regard to this matter, and he bases his quota on the same standard that the quotas from all other countries are based. I do not see how what the Senator suggests enters into the question, because if we put Mexico under a quota we would treat her as we treat every other country, and I repeat the same computation would be used. So I can not see how the question he suggests enters into the matter if the Senator really wants Mexican immigration restricted.

Mr. JOHNSON. It is perfectly obvious what I am endeavoring to do. I am going to endeavor to have a bill passed, and not have it recommitted to the committee, as the Senator from Georgia voted yesterday.

Mr. HARRIS. The Senator is advocating a substitute which is less restrictive than that recommended by the Senate committee.

Mr. JOHNSON. Let me say that it is a difficult thing to estimate a quota in regard to Mexico. The junior Senator from Arizona [Mr. HAYDEN] demonstrated that the other day, and those coming from Arizona are perfectly familiar with the situation, as I think I also am familiar with it. Mexicans walk across the line, and it is an utter and absolute impossibility to determine with any degree of exactness along that border extending for what—2,000 miles?

Mr. ASHURST. For 1,980 miles from San Diego to Brownsville.

Mr. JOHNSON. It is an utter and absolute impossibility, with the border patrol insufficient as it is to-day, for us to have any adequate conception of the number of Mexicans who come across the line in any specific year. Therefore, of course, we can not determine the number; it is an impossibility to determine accurately the quota by any arithmetical process, and a percentage of 1, 2, or 3 can never be intelligently or fairly computed.

Mr. WALSH of Massachusetts. Mr. President, will the Senator yield?

The VICE PRESIDENT. Does the Senator from California yield to the Senator from Massachusetts?

Mr. JOHNSON. I yield.

Mr. WALSH of Massachusetts. The number, of course, would depend upon whether or not the amendment offered by the Senator who sits next to the Senator from California [Mr. NORRIS] should prevail and become a part of the bill. In other words, the number of immigrants would depend upon whether we apply finally the principle of national origins or whether we base, as in the old law, the number upon the census of 1890. Is not that true?

Mr. JOHNSON. I am not very clear that that would make the number any more accurate or any more exact.

Mr. WALSH of Massachusetts. I am informed by the Senator from Georgia that it would make a difference of about 2,000; that is, if the national-origins plan were retained in the immigration law, the number of Mexicans who could come in would be about 100, whereas if the national-origins plan should be repealed—as it has been repealed by a vote on this measure—in the final enactment, then we would have restored as the basis percentages of those residing in the country of a given nationality in 1890, under which about 2,000 Mexicans could come in.

Mr. HARRIS. Mr. President—

The VICE PRESIDENT. Does the Senator from California yield to the Senator from Georgia?

Mr. JOHNSON. I yield.

Mr. HARRIS. I called up the Census Bureau and ascertained they know the number of Mexicans who were in this country in 1890 just as they know the number of immigrants from other countries who were here then. They can figure 1½ per cent of the number of Mexicans here, just as they can in the case of any other country. I think it would be a great surprise to the Census Bureau to be told that they did not know the number of Mexicans in this country in 1890.

Mr. JOHNSON. If the Senator will look at the census blank he will see that that blank will not afford the information that is desired, and it never has afforded it; it can not do so, in view of the way in which it is worded. But the fact is we are presented now with these two measures. One of them I want to have passed; I am not particularly anxious which one it shall be; but I want at least one of them passed. If we may put our finger upon the number of Mexicans who are going to be dealt with by the immigration law, that one apparently would be preferable; and the one that enables us to do that, in my opinion, in the first instance is the Johnson bill, introduced in the House of Representatives, rather than the Harris bill which is pending here.

Mr. NORRIS. Mr. President—

The VICE PRESIDENT. Does the Senator from California yield to the Senator from Nebraska?

Mr. JOHNSON. I yield.

Mr. NORRIS. I want to ask the Senator if the so-called Norbeck amendment, which repeals the national-origins clause, is in the substitute bill as well as in the original Senate bill.

Mr. JOHNSON. Yes, sir.

Mr. NORRIS. Therefore, so far as that question is concerned, it is not involved in this discussion.

Mr. JOHNSON. It is not involved in this discussion at all. The amendment of the Senator from Maine was perfected by adding the amendment of the Senator from South Dakota.

Mr. WALSH of Massachusetts. But the provisions of the Norbeck amendment are not in the House bill.

Mr. JOHNSON. No; they are not in the House bill.

Mr. WALSH of Massachusetts. And they may be eliminated in conference. It will make quite a difference in the quota if those provisions shall remain.

Mr. JOHNSON. The provisions of the Norbeck amendment are not in the House bill at all; they are in the amendment now offered by the Senator from Maine, which is the House bill, and which had as an addendum the amendment of the Senator from South Dakota.

Mr. ASHURST. Mr. President, will the Senator yield?

The VICE PRESIDENT. Does the Senator from California yield to the Senator from Arizona?

Mr. JOHNSON. I yield.

Mr. ASHURST. The Senator from California rendered valuable services during his administration as chairman of the Senate Committee on Immigration. Realizing the vast fund of information the Senator possesses on this subject, I should like to have him give me his views on my motion to strike out section 5.

Mr. JOHNSON. I was just going to reach that.

Mr. ASHURST. If it does not disturb the sequence of the Senator's argument—

Mr. JOHNSON. Not in the least, because I was just about to reach that point.

Mr. ASHURST. Because, in my opinion, section 5 destroys the symmetry of the bill, and is illogical and unfair.

Mr. JOHNSON. Let me first dispose of the quota. It is a perfectly arbitrary means of ascertainment which, in my opinion, the House committee has taken. It has taken one departing American to any of the various countries that are described in the bill, and has given such country four of that particular nationality who may be permitted to come in as immigrants. One of the reasons that actuated them in doing that was that that number could be definitely ascertained, because as to those Americans who have gone into other countries there are accurate figures. That is the mode by which they fix these quotas.

The reason, I assume, I say to the Senator from Washington, why the House bill includes Canada and Newfoundland and gives to Canada a very much larger number than perhaps will be needed for a long period to come is the theory that has been announced here so often of the lack of desire in an immigration bill to be discriminatory or offensive. So all the Western Hemisphere has been included by the House in this measure.

Mr. DILL. Mr. President, will the Senator yield?

Mr. JOHNSON. I yield to the Senator.

Mr. DILL. If it was the desire of the committee to have a bill that would not be discriminatory against Canada, or against any country in the Western Hemisphere, would it not be necessary, then, to use the same basis of quota? The moment we change the basis of quota immediately we become discriminatory; and thus in attempting to give a quota, or to have the name of a quota, we discriminate much more than we would by using a regular quota basis.

Mr. JOHNSON. But may I say to the Senator that I think for the Western Hemisphere exactly the same quota is used for every country, save in the instance that has been described by the Senator from Arizona, that is found in section 5 of this bill.

Mr. DILL. But the Senator recognizes that we use one basis of quota for Canada, Mexico, Newfoundland, and Cuba, and then we use another basis of quota for the other countries of Central and South America.

Mr. JOHNSON. Oh, that is quite true.

Mr. DILL. So that we do not use the same basis of quota for all the Western Hemisphere.

Mr. JOHNSON. No; I think the Senator is in error there. The same quota, I think, is utilized for all the Western Hemisphere. It is true that that is a different mode of computation than we use for the countries across the Atlantic; but I think for all of the Western Hemisphere the endeavor is to use exactly the same mode of computation.

Mr. DILL. No; I call the Senator's attention to lines 10 and 12 on page 2. The basis for Canada, Cuba, Newfoundland, and Mexico is four times the number departing to those countries; but if the Senator will read on line 10, "in the case of each of the other countries the number of immigration visas issued during the fiscal year ended June 30, 1929, to immigrants born in such country," that is the number coming to this country.

Mr. JOHNSON. Yes.

Mr. DILL. So we use the basis of the number that go out of this country for a part of the Western Hemisphere and the basis of the number that come into this country from other countries of the Western Hemisphere.

Mr. JOHNSON. The Senator from Washington is correct in that. I beg his pardon for suggesting that he was in error. He is absolutely accurate in that; but let me say to the Senator that the immigration from those countries is negligible. The amounts are all very, very small; and the results of the computations, I take it, would be of little or no consequence.

Now, let me return again to what the hearings have demonstrated.

In all of these hearings we have had the testimony of individuals who were entitled, of course, to respect and to the same sort of regard that we would wish to extend to gentlemen of repute who were presenting their views in good faith. All through them there has been a plethora of testimony about the necessity for adjustment, the necessity for the use of certain of this labor. The Senator from Wyoming [Mr. KENDRICK] insisted, and I think he still insists, that it is an impossibility for his people in the State of Wyoming to maintain their activities in relation to the beet-sugar fields without Mexican labor. I think I quote him accurately in that regard, and I remember the impression his testimony made upon our committee.

Mr. KENDRICK. Mr. President—

Mr. JOHNSON. I yield to the Senator from Wyoming.

Mr. KENDRICK. The statement made by the Senator is literally true; but, at the same time, I want to call attention to the fact that the Mexican labor as employed in my State, and, as I believe, in surrounding States, is not in any sense of the word cheap labor. The price paid for it is the highest price that is paid for any agricultural labor of which I have information.

Mr. JOHNSON. Did not the Senator say to our committee that he believed it to be absolutely essential for his sugar-beet industry?

Mr. KENDRICK. Mr. President, I am not so sure. I believe I did make exactly that statement; and I base the statement on the fact that I have never known our own people to engage in this kind of labor.

If the Senator will pardon me, the need of this labor is entirely unrelated, as I see it, to the question of employment or unemployment. It is a form of labor that involves so much of drudgery, so much that is unpleasant, that our own people simply will not do it; so the only source that we have ever found to secure labor was from the Mexicans.

Mr. JOHNSON. I thank the Senator from Wyoming, because what he has said indicates the character of testimony that was adduced by the committees, and of which there was such an abundance. I can not describe to you the organizations headed by the agricultural aggregations that came before our committees and testified exactly as the Senator from Wyoming has now spoken.

Mr. WHEELER. Mr. President, will the Senator yield?

Mr. JOHNSON. I yield to the Senator from Montana.

Mr. WHEELER. I desire to call the Senator's attention, however, to the fact that in my home city of Butte—which, as the Senator knows, is the largest mining city in the world—the Mexicans are coming in at the present time. They come into this country under the pretext that they are going to work in the sugar-beet fields. In some instances they work in the sugar-beet fields for a time, and then they come into the mines and take the places of the white miners and the American citizens. To-day you will find them there, living 6 and 8 and 10 in a little shack, and working in the mines. While white miners, American citizens, are walking the streets, these Mexican laborers are taking their places.

I find, Mr. President, that the unanimous sentiment among the labor organizations in my State is that they are opposed to these Mexicans coming into the State, particularly at this time, when there is this depression throughout the country. As far as their not taking the place of the workmen is concerned, there is not any doubt in the world of it, because we have the evidences of it right in my home city.

Mr. JOHNSON. I thank the Senator for what he has said.

The Mexican penetration, in regard to its inroads on labor, can be best demonstrated by saying to you that on the rail-

roads that run into Chicago—I am not speaking now of those that are out at the coast—on the railroads running into Chicago, more than 50 per cent of the labor is Mexican. I mean by that the actual labor on the track and the like. That indicates to you the penetration of Mexican labor. They have penetrated into mills in Indiana; they have penetrated into mills in all of the territory in the North at the present time.

Now, as to section 5:

After the testimony that was adduced, such as we have heard from the distinguished Senator from Wyoming, from the farm organizations, from those who dealt with this labor in the States of California, Arizona, New Mexico, Colorado, and Texas, after the plaint of those who were using Mexican labor and their insistence upon its necessity, the House committee reached the conclusion that it would be a wise thing if there could be a period of adjustment; and that period of adjustment the House committee fixed under section 5. It not only permitted the quota of 2,900, but it took the misleading visa figures that have been presented, I think, to every Senator upon this floor, and gave those visa figures for the last six months of last year, in addition to the quota of 2,900 for the year 1930. Then, pursuing its desire for a readjustment, it halved that visa number and added its fixed quota of 2,900 for 1931; so that it gave 1930 and 1931 as a period of readjustment, with a figure in 1930 of 11,021, and a figure in 1931 of 6,961. As has been stated by the Senator from Georgia, the number who come over, so far as we have been able to count them, is in excess of 50,000 per year.

Mr. WALSH of Massachusetts. Mr. President, pardon me. Will the Senator permit a correction there?

Mr. JOHNSON. Certainly.

Mr. WALSH of Massachusetts. I put into the RECORD to-day an article written by Commissioner Hull, which is entitled:

ANALYSIS OF STATISTICS OF IMMIGRATION FOR DECEMBER, 1929

Two-fifths of the 136,970 immigrant aliens entering the country during the six months from July to December last, came from countries in the Western Hemisphere, Canada and Mexico contributing the major portion as usual. These two countries, with 39,684 and 8,589, respectively, contributed 35.2 per cent of the total.

In other words, in the six months ending in December last, there came into this country from Mexico only 8,589 immigrants, making a total for the year, assuming that that ratio kept up during the year, of between sixteen and seventeen thousand.

One other sentence:

Compared with the corresponding period a year ago, immigration from Mexico during the six months from July to December, 1929, shows not only the largest numerical but largest proportionate decrease, the number of immigrants coming from that country dropping from 25,020 to 8,589, or 65.7 per cent.

I insert that only for accuracy's sake.

Mr. JOHNSON. Yes; but let me say to the Senator that it is totally inaccurate. The number that is there stated I believe to be the number to whom visas were issued.

Mr. WALSH of Massachusetts. I assume that. We would have no other record. Any other estimate is, of course, a guess.

Mr. JOHNSON. Yes. The Senators from Arizona can say to the Senator from Massachusetts what I say to him now: That does not demonstrate at all the number of Mexicans who come into this country. The Mexicans coming across our border do not bother to get visas.

I instanced the other day, as showing the mode in which they came, the head tax that we put upon them four, five, or six years ago. We put an \$18 head tax, as I recall, upon every Mexican coming into this country. The year previous there were 87,000 Mexicans who came in here.

The year we put the head tax on I think there were 32,000, and yet there was a complete demonstration, and I think the fact is admitted that the numbers coming each year were substantially the same.

Mr. WALSH of Massachusetts. Would that condition be changed by the passage of this immigration law?

Mr. JOHNSON. It is very doubtful; and if we pass a law we are confronted with the probability that perhaps it can not be enforced.

Mr. WALSH of Massachusetts. We have not experienced that difficulty so far as immigration from Canada is concerned. It is very satisfactorily controlled. There is very little entrance over the border by Canadians without the proper passports, and, as the Senator knows also, there are thousands of Europeans from various countries who have gotten as far as Canada and who have been trying to come over into the United States,

and have tried in devious ways to get in, but in many instances they have been apprehended and deported.

Mr. ASHURST. Mr. President, will the Senator yield?

Mr. JOHNSON. I yield.

Mr. ASHURST. I fully appreciate that it is difficult to enforce any law like an immigration law, but I wish to remind the Senator, with his permission, and to remind the Senate that on yesterday my colleague, the junior Senator from Arizona [Mr. HAYDEN], prepared an amendment, which he has offered to a bill now pending before the Senate Committee on the Judiciary, the bill known as the one transferring the enforcement of the prohibition laws from the Treasury to the Attorney General, and his amendment proposes a consolidation or a unification of the methods of controlling the border. I have read his amendment with great care, and I am in hearty support of it, and I believe that if Senators will read the amendment they will find that my colleague has taken a long and a very definite and a very proper step in looking toward complete border control. Of course, he refers in his amendment to the land border.

Mr. JOHNSON. That would be a most important thing in case we passed a bill restricting Mexican immigration.

As to section 5, as I have said, the endeavor was to please, to placate, to be just to those who said that the immediate rupture of their labor conditions would work the greatest harm to them, and they wanted a period of readjustment, and that period was given in these two years.

Mr. NORRIS. Mr. President, will the Senator yield?

Mr. JOHNSON. I yield.

Mr. NORRIS. I would like to ask the Senator about section 5. It has for its object the same thing that the Senator from Wyoming has asked for in the amendment he has offered?

Mr. JOHNSON. There is a like purpose, to aid. It is essentially different, because the Senator from Wyoming asks that the seasonal laborers be permitted to come over here, under bond, and stay, I think, for a period of eight months, and then to be sent back by virtue of the bond, and the like.

Mr. NORRIS. If the Senate should decide to adopt the amendment proposed by the Senator from Wyoming, would section 5 then be superfluous?

Mr. JOHNSON. Oh, yes; but I think any bill would be superfluous in that case.

Mr. NORRIS. I do not know whether I get the Senator's idea or not.

Mr. JOHNSON. I mean that if we give the right to bring over into this country seasonal laborers in such numbers as he may have described—I am not sure whether he puts in accurately in his amendment or not—

Mr. NORRIS. I am not sure, either.

Mr. JOHNSON. Here is his amendment. It is very different from section 5.

Mr. NORRIS. It is a very practical proposition upon which I am trying to get information. If there is a conflict between section 5 and the proposed amendment of the Senator from Wyoming, we ought to take them up together.

Mr. JOHNSON. They conflict, absolutely.

Mr. NORRIS. The adoption of the one makes the other unnecessary?

Mr. JOHNSON. No; I would not say that, because I think that even with the adoption of section 5, the Senator from Wyoming would want his amendment. Section 5 permits a certain number in 1930 in addition to the quota, and a certain number, half of that, practically, in 1931. Then we go to the quota; that is all.

Mr. WALSH of Massachusetts. Mr. President, will the Senator state how much that quota is?

Mr. JOHNSON. Two thousand nine hundred, under the amendment.

Mr. WALSH of Massachusetts. So that there is not so much difference between that and the number who could enter under the bill presented by the Senator from Georgia, who states that about 2,000 Mexicans could enter.

Mr. JOHNSON. If his figures are accurate, and if they can be computed, and that is the mathematical demonstration of how many will come, then there is not a vast difference between the numbers.

Mr. WALSH of Massachusetts. Let me state that the Senator has been very generous in his time and in giving information.

Mr. JOHNSON. I am going to conclude in just a moment. The only purpose of section 5 that the House had, as related to me, was to give 1930 and 1931 as a period of adjustment for those who claim so very earnestly that they require some period in which to adjust themselves to this new relationship.

Mr. BLAINE. Mr. President, will the Senator yield?

Mr. JOHNSON. I yield.

Mr. BLAINE. The Senator was about to conclude his statement with reference to the effect of the amendment proposed by the Senator from Wyoming when he was interrupted. I would like to have the Senator complete his answer.

Mr. JOHNSON. The amendment of the Senator from Wyoming is an entirely different thing from section 5. Section 5 for two years permits a decreasing number to come, as a period of adjustment for those who use Mexican labor. The amendment of the Senator from Wyoming provides:

The Commissioner General of Immigration, with the approval of the Secretary of Labor, under such regulations as he, with the approval of the Secretary of Labor, may prescribe (including the requirement of bond with sufficient surety, or other guaranty, to insure that, at the expiration of the prescribed period or upon failure to maintain the status under which admitted, the immigrant will depart from the United States), may, during any year, admit temporarily as nonimmigrants, for periods of not more than eight months, otherwise admissible aliens—

And so forth.

They are two entirely different items. Of course, each has the ultimate purpose of relieving the situation in agriculture and the like that is asserted to require alleviation or readjustment.

Mr. NORRIS. Mr. President, does the amendment of the Senator from Wyoming apply to any country except Mexico?

Mr. JOHNSON. Yes; it is made applicable to aliens from any country of the Western Hemisphere.

Mr. NORRIS. Is it confined entirely to agricultural labor?

Mr. JOHNSON. Yes; I think it refers to agricultural labor.

Mr. President, I had no idea of taking more than a moment or two when I got upon my feet, and I took the floor solely in view of the discussion which had raged here during the afternoon.

I want some bill enacted into law if it is possible to get it. I am not wedded to the Johnson bill in the House or to the bill of the Senator from Georgia. But I do want a measure, if it be possible to obtain a measure, by which we may endeavor, at least, to remedy the situation which now exists on our borders.

I shall vote, personally, for the bill of the House committee, because I think it presents with exactness the number who may be permitted to come. Whether it shall be adopted or not is a matter of some indifference to me, because if it be not adopted, personally I shall vote for the measure of the Senator from Georgia; but some measure ought to be adopted, and I trust we may adopt one this afternoon.

Mr. ASHURST. Mr. President, the Senator has made an illuminating speech, as he usually does, but I venture to ask the Senator as to section 5. Obviously that section, or at least its substance, was drawn many months ago.

Mr. JOHNSON. I do not think so.

Mr. ASHURST. In other words, was not section 5 drawn, or conceived, before this tremendous debacle came upon the country and before there was such acute unemployment?

Mr. JOHNSON. I might not be able to answer the Senator accurately, but this bill was only reported this month by the Committee on Immigration to the House.

Mr. ASHURST. I was inquiring as to whether the section was drawn not having in view the serious and acute unemployment situation.

Mr. JOHNSON. I am not informed as to that.

Mr. ASHURST. I do not wish to detain the Senate further on my own amendment, except to say that the substitute proposed by the Senator from Maine [Mr. GOULD], with the exception of section 5, has some symmetry and is logical, but section 5, to my mind, is unfair and illogical.

Mr. WALSH of Massachusetts. Mr. President, will the Senator yield?

Mr. ASHURST. I yield.

Mr. WALSH of Massachusetts. I am inclined to agree that the Senator's amendment is helpful. I would like to inquire whether the Senator has any recollection of any such provision as is proposed in section 5 being incorporated in the bill of 1921 or 1924?

Mr. ASHURST. I do not.

Mr. WALSH of Massachusetts. Neither do I. If we are going to apply the quota basis to immigration from Mexico, we ought to apply the same rules that we apply to all of them.

Mr. ASHURST. I agree with the Senator. In conclusion, there arises in the career of every public man, and it comes upon him sometimes when he least expects it, a time when he must choose whether he will follow a policy which he has advocated for years, and which he believes to be right, or whether, for a temporary emergency or to please special interests, he will relax and violate the principle which has been the cornerstone of his whole public career.

That time has come to me. From the day I entered public life until this hour I have been opposed to unrestricted immigration, and I here and now shall adhere to and sustain my views upon this subject. I do not premise or place my opposition to immigration upon any prejudice against any particular foreign country or against any particular race, because every man in this Chamber knows how constantly we have drawn upon the other races of the world for our own culture.

Name our language; it is only 60 per cent English. Our election laws and ballot come from Australia, and the decimal money system from Holland. Name anything of our culture that is of particular value, and it will be found that we drew the germ of its truth and beauty from some foreign country. Therefore it would ill become any Senator to entertain any prejudice against any country.

I do not oppose immigration into the United States because of any opposition to or ill feeling against any country. I have no prejudice against the people of the British Isles. They gave us the stately language of Shakespeare and Milton, of Burns, and of Moore and of Byron. The Irish race has furnished to us on the field of battle and in the forums and senates the bravest and the most eloquent of men. How could I have a prejudice against Italy, which has given to the world her poems of stone and her heritage of music? Or the great Germanic and Scandinavian races, which have made such valuable contributions to our own culture? Who could be so base as to have a prejudice against them? I could go on if I had the time and Senators desired to listen, and could prove that every nation has contributed something that has helped to make America great and strong. But immigration into the United States long ago reached the point where we can not continue to expand and to grow and to improve if we continue to receive this excessive foreign immigration.

Mr. President, you can invite me to your home; you do it with pleasure, and I accept with pleasure. You can invite 10 friends and entertain them and house them. You can invite even 100, but you can not invite a thousand or 10,000. The United States can accept and can digest and mold into the life and culture of our people some 100,000 or 120,000 immigrants annually. But with safety to ourselves and our own Nation and our own ideals we can not absorb more than 100,000 immigrants annually. If we attempt to do it, that American lamp of which I spoke in the early part of my remarks, which illuminates the earth, will be extinguished, never to be reilluminated within the next hundred years. The safety of our own country, the safety of our institutions, of our laws, or our culture and our leadership amongst the powers of the earth depends upon the most rigid immigration laws.

Mr. BLACK. Mr. President, the question has been raised as to whether or not these immigrants are needed to perform labor. I claim that the record of the hearings before the Senate Committee on Immigration, when it is carefully investigated, shows they are not needed.

In the first place, I invite attention to the fact that the Association of Mexicans in Los Angeles have only recently passed resolutions concerning unemployment. They have criticized the situation and say they want to prevent more Mexicans from coming in and depriving local Mexicans in the West of their jobs. They have been thrown out of employment in California by immigration. They state they have been receiving \$1.50 to \$2 a day for labor. The Mexican Association of Los Angeles only a few weeks ago adopted resolutions asking the Government of Mexico to stop Mexican immigration into the United States. The Mexicans themselves who are now out of employment in California are appealing to their own Government of Mexico to prevent any more Mexicans coming into the United States. They want those jobs, if any jobs are to be given to foreigners.

Mr. WALSH of Massachusetts. Mr. President—

The VICE PRESIDENT. Does the Senator from Alabama yield to the Senator from Massachusetts?

Mr. BLACK. I yield.

Mr. WALSH of Massachusetts. I was surprised to learn that it was of the greatest importance to the sugar industry that there should be a steady flow of Mexican immigration to this country annually. I would like to inquire of the Senator from Alabama or any other Senator who can give me the information what percentage of the employees in the sugar-beet fields are Mexican immigrants?

Mr. BLACK. I find no statistics concerning that matter. I have the statistics with reference to all people who work on the farms, which I can give the Senator. These statistics relate to laborers.

Mr. WALSH of Massachusetts. I have been told privately that nearly all of them are Mexicans. I was led to believe that the imposition of a high duty upon sugar would be of great

benefit to American labor in the sugar industry. I think we ought to know whether our increase of the sugar duty is going to be for the benefit of a few Mexican immigrants or whether it is really to be a benefit to American capital and American labor.

Mr. WHEELER. Mr. President—

The VICE PRESIDENT. Does the Senator from Alabama yield to the Senator from Montana?

Mr. BLACK. I yield.

Mr. WHEELER. Let me state to the Senator from Massachusetts in answer to his question that in my State I would say the greater percentage of the men employed on the railroads are Mexicans. The sugar-beet people not only employ Mexican men, but their wives and children, who all go out and work in the fields.

Mr. WALSH of Massachusetts. It seems there is something about the sugar-beet industry that develops the fact that after immigrants have once had experience working in the sugar-beet fields they never go back. There has to be a constant flow of new immigration each year. Rather generally those who come here stay. They come for a period of months and work in the sugar-beet fields, but never go back again. It appears to me that the industry is so completely controlled by and dependent upon foreign labor that we ought not to talk about protecting American labor by imposing high tariff duties.

Mr. WHEELER. In my State they depend upon Mexican labor. The trouble is that when they work in the beet fields for a few months they then go into the mines at Butte and on the railroads in other places, and take the places of American workmen who are working upon the railroads of the country.

Mr. WALSH of Massachusetts. I think the Senator from Wyoming [Mr. KENDRICK] can inform us about the question I asked.

Mr. KENDRICK. Mr. President, will the Senator from Alabama yield?

Mr. BLACK. Certainly.

Mr. KENDRICK. I invite the attention of the Senator from Massachusetts to the fact that the cultivation of the beet is not the entire process in the production of beet sugar or even of the beets themselves. When the Mexicans or when any laborers that can be induced to perform that kind of work have begun and completed their part of the labor, they have by that fact provided an unusual amount of increased work for our own people at very profitable wages in the handling of the beets and manufacturing the raw material into the finished product, and then, too, the manufacturing of the by-product from the raw material into the feeding of livestock, again making a finished product.

Mr. WALSH of Massachusetts. Is it not a fact that after they have for one season performed the field work, they go into other employment and we then have to go to Mexico and get another lot of Mexicans for the sugar-beet work?

Mr. KENDRICK. Exactly; and in addition to that let me say that I have an amendment which would provide for their return to Mexico or any other foreign country.

Mr. WALSH of Massachusetts. The Senator's amendment would provide that they would come in under Government supervision and perform this temporary work and then go back?

Mr. KENDRICK. Yes.

Mr. WALSH of Massachusetts. So they would not go into the mines of Butte or the mills of New England?

Mr. KENDRICK. No; they would go back to their own country. It is my opinion that agriculture, which is the only industry in which they would be allowed to take part, would be vastly benefited by having them return home at the end of a series of eight months as provided in my amendment, because when they come to this country with an agreement and understanding that they are going to perform labor on the farms of the United States, then we are assured that they are not going out into any other industry.

Mr. WALSH of Massachusetts. I thank the Senator. We have already trespassed upon the time of the Senator from Alabama and we should permit him to proceed.

Mr. BLACK. Mr. President, I rose only to call attention to two points in connection with the question that has arisen about labor. May I state with reference to what the Senator from Wyoming [Mr. KENDRICK] has said that I think it is just as bad to have cheap labor come in and work on plantations or on farms as it is to have cheap labor come in and work in industry. The backbone of the agricultural industry of this country consists of the millions of small farmers who plow with their own mules and perform their own services, and not of those who are industrialists in the agricultural field and who own hundreds of thousands of acres and seek to employ cheap labor.

Mr. KENDRICK. Mr. President, will the Senator yield further?

The VICE PRESIDENT. Does the Senator from Alabama yield to the Senator from Wyoming?

Mr. BLACK. Certainly.

Mr. KENDRICK. If the Senator will indulge me just a moment further, I will say to him, as I said to the Senator from California [Mr. JOHNSON] a moment ago, that the alien labor employed in my section of the West and every other section with which I am familiar is not cheap labor but is very expensive labor. It is employed to meet an emergency for which there is no other recourse. It does not mean cheap labor at all, but it means any kind of labor at any price that will secure the labor.

Mr. BLACK. So far as I am concerned, I am opposed to bringing Mexicans into this country to work for any kind of labor or at any kind of price. In the next place, I say that the figures show that we do not need them. I claim, as does the Senator from Arizona [Mr. ASHURST], that the American will work anywhere if he is paid to work in decent surroundings.

Mr. KENDRICK. Mr. President, will the Senator yield once more?

Mr. BLACK. Certainly.

Mr. KENDRICK. One can only judge of the future by the past. In 20 years of cultivation in special crops in the West there is hardly an instance on record where white people have done this kind of work in the different kinds of special crops. It is confined not altogether to sugar beets, but to fruit growing and truck farming and other sorts of crops. The answer is because there is profitable employment in the western country, as a rule, in other lines of business and other lines of work which the Americans prefer to do.

Mr. BLACK. Mr. President, in order to conclude my statement I am not going to yield any further, although I have been delighted to yield to the Senator from Wyoming. If it were not for the fact that it is late in the afternoon, I should not object to yielding. I am only going to occupy two or three minutes more. I think we should have a vote.

Mr. HARRIS. Mr. President, will the Senator yield?

The VICE PRESIDENT. Does the Senator from Alabama yield to the Senator from Georgia?

Mr. BLACK. Very well; I yield.

Mr. HARRIS. In connection with the Mexicans who are working at other things after starting in on the farm, I want to say that no one would deny that half of the men who work on the railroad tracks in the West are Mexicans. No one will deny that statement. They keep just that many Americans out of jobs.

Mr. BLACK. According to the statistics, 51 per cent of the men who work on the railroads at common labor are Mexicans.

So far as I am concerned, it is my belief that any industry that has to be pampered with a tariff and then pampered with cheap labor has no place in American industrial life. If it has to be treated like a hothouse plant, if we have to pamper the sugar industry by a high tariff that raises the price to the American consumer and then pamper it again by bringing in cheap or illiterate Mexican labor, then I say we had better put our soil to some other use. Nobody—or at least very few people—will receive any benefit from any such pampered and hothouse industry as that.

The statement has been made that Americans will not work at this kind of labor. The census of 1920 shows that there were 1,939,948 white male native American-born working out for wages on farms for other people. At the same time there were 203,902 foreign-born so employed. Yet we constantly hear the cry that Americans will not do the work. They will do it if they are paid for it.

Here is the highest authority that can be presented. I ask the attention of any Senator who is considering voting against the amendment on the ground that we need labor. I ask him to listen to what the Department of Labor itself says about it. We have a man in charge of the department who has made a careful study of the labor situation. Here is his report dated April 7, 1930, a report by Mr. Francis I. Jones, Director General of the Department of Labor, made within the present month. Here is what he said:

It is believed that with the opening of new offices in Texas, Arizona, and California the apparent shortage of seasonal labor in the Arizona and California cotton and lettuce industries will be relieved. This belief, however, is based upon a special railroad rate, suitable housing conditions, a fair wage—

A fair wage—

and considerate treatment. With new offices established and special agents located at strategic points it does not appear necessary to bring

Mexicans and others into this country for temporary employment to harvest the crops in the States mentioned successfully. There appears to be plenty of American labor available to meet agricultural demands, provided the employment is under favorable conditions.

There is the proposition which faces us. If the American laborer is paid for his services so that he can live decently, he will perform those services. The amendment of the Senator from Arizona should carry, unless we believe in a country where we have free labor and embargo tariffs to protect the bloated manufacturing industries of the Nation.

Mr. HAYDEN. Mr. President, in support of the amendment offered by my colleague [Mr. ASHURST], I should like to say to the Senate that a careful study of the situation convinces me that section 5, if enacted into law, would be of no value to those for whose benefit the provision is intended. The State Department has so greatly reduced the number of legal immigrants from Mexico by the enforcement of the existing immigration laws that the numbers mentioned in section 5 of the House bill could not possibly be admitted to the United States during the next two years under the proposed quotas. As I have heretofore stated to the Senate, during the past nine months the average number of Mexicans lawfully admitted into the United States was only 1,185 per month, or at the rate of 13,980 a year. Of that number only 139 a month, or at the rate of about 1,600 a year, are laborers, who would come within the quota. Therefore the Senate should adopt the amendment suggested by my colleague, which recognizes that the time to consider a gradual reduction of Mexican immigration has passed. The State Department has already made a drastic reduction an accomplished fact.

Mr. BLACK. Mr. President, will the Senator yield for a question?

The VICE PRESIDENT. Does the Senator from Arizona yield to the Senator from Alabama?

Mr. HAYDEN. Yes.

Mr. BLACK. I call the Senator's attention to the issue of Railway Conductor of the present month in which this statement is made:

Over one Southern California highway during one week recently 322 automobiles filled with Mexican laborers and families passed northward. This is exclusive of Mexican passengers in auto stages and trains.

One immigration study commission field worker asked one of the drivers how many children he had brought in and the reply was 11; the next one brought in 9, and the next one 8.

The VICE PRESIDENT. Does the Senator from Arizona yield to the Senator from South Carolina?

Mr. HAYDEN. I yield.

Mr. BLEASE. I should like to ask the Senator from Arizona if his figures include the laborers who are brought across the line temporarily?

Mr. HAYDEN. There is now no provision of law for the temporary admission into the United States of common laborers from any country. They may come and go as they please, so far as Canada and Mexico and other countries of the Western Hemisphere are now concerned, and many of them do enter and return after comparatively brief periods. I am giving, however, the figures of actual legal entry. How long they stay after they entered is another matter.

Mr. WALSH of Massachusetts. Is there a head tax required?

Mr. HAYDEN. There is a visa fee of \$10 and a head tax of \$8.

Mr. WALSH of Massachusetts. The same as is required in the case of those coming from other countries?

Mr. HAYDEN. Yes. So it costs \$18 for a Mexican to enter the United States.

Mr. HEFLIN. Mr. President—

Mr. BLACK. I should like to ask the Senator another question.

The VICE PRESIDENT. To whom does the Senator from Arizona yield?

Mr. HAYDEN. I yield first to the senior Senator from Alabama.

Mr. HEFLIN. There is no fee paid by those who are smuggled in?

Mr. HAYDEN. Of course not.

Mr. HEFLIN. There are thousands and tens of thousands of those, and they never return to their own country. The testimony of Mr. Wilson, of California, before our committee was that after those who wanted them brought them in—temporarily had brought them in—the railroads could then take them into other States, so that our country is being filled up with these people without permission on the part of the United States.

Mr. HAYDEN. I entirely agree with the Senator, that there is much illegal immigration. I have pointed out repeatedly to the Senate that three things are necessary to restrict immigration: First, there must be a limit upon the number of aliens who may enter lawfully; second, the international boundary lines must be strongly guarded by a border patrol to make sure that they do not enter illegally; and, third, there must be adequate means of deporting them if they do get into the United States in violation of law. I now yield to the junior Senator from Alabama.

Mr. BLACK. Mr. President, the Senator from Arizona made the statement, inadvertently, I think, that there was no provision of law for the temporary admission of laborers. I call the Senator's attention to the fact that during six months of 1929 we admitted 4,975 woodchoppers as skilled laborers, who were specially permitted to come in. I also call his attention to the fact that we permitted to come in a number of traffic experts, chauffeurs, fox-ranch superintendents, beauty-parlor experts, lubrication experts, expert rate clerks, reindeer herders; in fact, all kinds of skilled laborers were admitted into the country.

Mr. WALSH of Massachusetts. They came from European countries, did they not?

Mr. BLACK. They were admitted from various parts of the world, as I understand. Of course, they now come from European countries, and they could come from other countries if the quota were adopted to cover the nations of the world.

Mr. HAYDEN. Let me say to the Senator from Alabama that I was well aware of the provision of the law which authorizes so-called skilled laborers to be admitted.

Mr. BLACK. Soccer and football players are also admitted.

Mr. HAYDEN. But there is no provision of law whereby an unskilled or common laborer may be admitted temporarily into the United States at the present time.

The VICE PRESIDENT. The question is on agreeing to the amendment offered by the Senator from Arizona [Mr. ASHURST] to the amendment proposed by the Senator from Maine [Mr. GOULD].

Mr. ASHURST. I ask for the yeas and nays.

The yeas and nays were ordered, and the Chief Clerk proceeded to call the roll.

Mr. GLASS (when his name was called). I have a general pair with the senior Senator from Connecticut [Mr. BINGHAM]. Not knowing how he would vote on this particular question, I withhold my vote.

Mr. JOHNSON. On this question I have a pair with the Senator from Texas [Mr. CONNALLY]. I transfer that pair to the Senator from Rhode Island [Mr. HEBERT] and vote "nay."

The roll call was concluded.

Mr. CARAWAY. I have a pair with the junior Senator from California [Mr. SHORTEIDGE]. I transfer that pair to the Senator from Nevada [Mr. PITTMAN] and vote "yea."

Mr. SIMMONS. I wish to inquire whether the senior Senator from Massachusetts [Mr. GILLET] has voted?

The VICE PRESIDENT. The Chair is informed that that Senator has not voted.

Mr. SIMMONS. I have a general pair with that Senator, which I transfer to the Senator from Iowa [Mr. STECK] and vote "yea."

Mr. SHIPSTEAD. I wish to announce that my colleague [Mr. SCHALL] is unavoidably absent from the Senate.

Mr. WALSH of Montana. I wish to announce that the senior Senator from Texas [Mr. SHEPPARD] and the junior Senator from Texas [Mr. CONNALLY] are necessarily absent from the Senate in attendance upon the funeral of the late Representative Lee, of Texas.

Mr. GOULD (after having voted in the negative). I transfer my pair with the Senator from New Mexico [Mr. BRATTON] to the Senator from Connecticut [Mr. WALCOTT] and allow my vote to stand.

Mr. FESS. I wish to announce the following general pairs:

The Senator from Indiana [Mr. WATSON] with the Senator from South Carolina [Mr. SMITH];

The junior Senator from New Hampshire [Mr. KEYES] with the senior Senator from Texas [Mr. SHEPPARD];

The senior Senator from New Hampshire [Mr. MOSES] with the Senator from Utah [Mr. KING];

The junior Senator from Pennsylvania [Mr. GRUNDY] with the Senator from Florida [Mr. FLETCHER];

The senior Senator from Pennsylvania [Mr. REED] with the Senator from Arkansas [Mr. ROBINSON];

The Senator from New Mexico [Mr. CUTTING] with the Senator from Missouri [Mr. HAWES]; and

The Senator from Illinois [Mr. GLENN] with the Senator from Oklahoma [Mr. THOMAS].

The result was announced—yeas 40, nays 26, as follows:

YEAS—40

Ashurst	Copeland	Kean	Shipstead
Barkley	Dill	La Follette	Simmons
Black	George	McCulloch	Stephens
Blaine	Hale	McKellar	Swanson
Blease	Harris	Metcalf	Trammell
Borah	Harrison	Overman	Vandenberg
Brock	Hatfield	Patterson	Wagner
Broussard	Hayden	Pine	Walsh, Mass.
Capper	Heflin	Robinson, Ind.	Walsh, Mont.
Caraway	Jones	Robison, Ky.	Wheeler

NAYS—26

Allen	Goff	McNary	Steiwer
Baird	Goldsborough	Norbeck	Sullivan
Couzens	Gould	Norris	Thomas, Idaho
Dale	Greene	Nye	Townsend
Deneen	Howell	Oddie	Waterman
Fess	Johnson	Phipps	
Frazier	Kendrick	Ransdell	

NOT VOTING—30

Bingham	Glenn	Moses	Smoot
Bratton	Grundy	Pittman	Steck
Brookhart	Hastings	Reed	Thomas, Okla.
Connally	Hawes	Robinson, Ark.	Tydings
Cutting	Hebert	Schall	Walcott
Fletcher	Keyes	Sheppard	Watson
Gillett	King	Shortridge	
Glass	McMaster	Smith	

So Mr. ASHURST's amendment to Mr. GOULD's amendment was agreed to.

The VICE PRESIDENT. The question is upon the amendment, in the nature of a substitute, proposed by the Senator from Maine [Mr. GOULD], as amended.

Mr. DILL. Mr. President, I rise to speak against the amendment of the Senator from Maine [Mr. GOULD]. I do this for the reason that, in the first place, it places a quota upon Canada. Nobody on this floor or anywhere else has shown that there is any need or any demand for a quota on Canadian immigration; and, even if there were such a thing and were such a demand, this bill does not in any manner meet that demand.

The record shows that the average immigration from Canada amounts to about 19,000. This bill allows 67,000, more than three times the average number that come into this country; so there is not any argument for the quota even on the part of those who might want to restrict immigration from Canada.

What is the reason that Canada is to be included under a quota? The reason given is that we do not want to arouse any feeling on the part of South American countries by not putting a quota on Canada. We do not want to discriminate, we are told; and yet this bill is the rankest kind of discrimination.

When we passed the immigration law in 1924 we provided that the quota should apply to European countries and other parts of the world except the countries of North and South America. Nobody considered that that was discrimination, and we have had no complaint of that being discrimination. The committee in reporting out the Harris bill simply extended the application of the same quota to the countries of the Americas south of the United States, leaving the country of Canada to the north not included under the quota.

There is far less discrimination in that than there is in the substitute amendment of the Senator from Maine. In the first place, the substitute of the Senator from Maine has two new methods of determining the quotas. It takes the four countries—Canada, Newfoundland, Cuba, and Mexico—adjoining the United States, and takes as the basis for the quota four times the number of Americans that departed into those countries.

In the first place, that is such a ridiculous basis to take for a quota of immigration that it is not worthy of being called a basis of quota. It was taken simply in order to get some figures as to Canadian immigration to which nobody would object, from the number that is permitted to come in here; but it goes further, and fixes the quota for other South American countries on the basis of the number of people who have been coming from those countries to the United States. So, if we adopt the Gould substitute, we have one basis for the quota from other parts of the world. We have a second basis, and that basis now would be the census of 1890. We have the basis of four times the number of Americans who have gone from this country into these four countries adjoining as the second basis of quota, and then we have the number who came from South American and Central American countries into the United States. There could not be ranker discrimination than to set up these special quotas to meet our own arbitrary demands and desires as to these people coming into the United States.

I recognize that placing a quota of 67,000 on Canada will not greatly limit for many years to come the number of people that come into this country from Canada; but it will set up a system of red tape on the part of the immigration officials along the Canadian border that will tend to cause friction in crossing the border.

There is not any demand for it. There is not any need for it. As the Senator from Maine well said, families intermarry across the border. He spoke particularly of conditions along the border of Maine. I am familiar with the conditions along the western part of the border. I would not attempt to say, without investigating the census returns, how great a percentage of the people in the Northwestern States, and particularly the State of Washington, are Canadian born. We do not know they are Canadians unless they tell us so; and I know that a tremendous number of the people in British Columbia are American born. They go over there, and they not only live there but they become public officials, in many cases, of the cities of British Columbia.

Our lodges have a district composed of British Columbia, Washington, Oregon, Idaho, and sometimes Montana and Wyoming. In some years the convention of these lodges will meet in British Columbia, and in some other years it will meet in one of the States. We have both the English flag and the American flag; and we object to raising this border distinction in the form of a quota on the people who are native-born Canadians.

So I say there is not any reason that can be given that is met by this legislation. If it be that we do not want to discriminate, then we should take the quota system as applied to Europe and South America, as it will be under the Harris plan, and apply it to Canada. Nobody proposes that seriously; and it can not be for the purpose of keeping out Canadians, because it proposes to let in more than three times as many as come in, on the average, now. So I say it is a confusing, an unnecessary, and an improper piece of legislation.

I am not going to take time to enlarge upon the discussion; but I wanted to express myself in this way, and to say that I hope the Senate will pass the bill that was reported here by the committee of the Senator from Georgia [Mr. HARRIS]. It is a natural, direct, and proper method of dealing with this situation. If we want to stop the wholesale immigration of Mexicans, that bill provides the method. Not only does it provide the method to stop the Mexicans, but it would prevent the bringing in of large numbers of South Americans and Central Americans in case we do stop the Mexicans and were to leave the border open as to them.

I hope this substitute will be voted down, and we may pass the Harris bill.

Mr. HAYDEN. Mr. President, the Senator from Washington [Mr. DILL] has said that he opposes the adoption of the Gould amendment because there is no basis for the quotas as provided in that amendment, the Gould amendment being identical in language with the Johnson bill heretofore reported to the House of Representatives.

The basis for the proposed quotas is clearly stated in the report on the Johnson bill which completely explains the origin and purpose of that measure. The House Committee on Immigration adopted four times the number of emigrants leaving the United States in 1929 to the contiguous countries of Canada, Mexico, and Cuba as the unit of control. That committee could have used a uniform rule, except that there were no figures kept by the United States Immigration Service to show the departures of American citizens for the countries of Central and South America. Therefore, in the absence of a record, the committee adopted an entirely practical plan, which is that as many may enter from such countries as visas were issued to their citizens departing from the United States during the past year. No discrimination is intended, and none can be construed from the adoption of that provision.

I sincerely hope that the Gould amendment will be adopted, primarily because it avoids discrimination between countries of the Western Hemisphere. Canada is our neighbor on the north. Mexico is our neighbor on the south. We should treat our two nearest neighbors exactly alike; and that will be done if the Gould amendment is adopted.

The Senator speaks of red tape, as though the adoption of the Gould amendment would make it more difficult for persons to come and go between Canada and the United States. I want to read to the Senator three short paragraphs covering that point from the report on his bill made by Congressman JOHNSON, of the State of Washington, to the House of Representatives:

With respect to the neighborly movement of the people of the United States and of the people of Canada back and forth across our northern border, amounting to millions annually, it may be said with assurance that the plan outlined in this bill will cause no more delay, no more inconvenience, no more check than now exists.

Inasmuch as the present laws require citizens of Canada coming to the United States for permanent residence to be Canadian born, provided with immigration visas, literate, capable of supporting themselves, of good character, free from loathsome and contagious diseases, etc., all

immigrants from Canada have to be examined, and this involves an examination of all persons coming over the border.

And then Mr. JOHNSON adds:

It is remarkable, and a cause of praise, that the United States immigrant inspectors have become so expert that they handle the great movement with practically no inconvenience. If more citizens of the United States would recognize the fact that the border must be protected and the general immigration laws are to be maintained, there would be no friction.

Mr. DILL. Mr. President—

The VICE PRESIDENT. Does the Senator from Arizona yield to the Senator from Washington?

Mr. HAYDEN. I yield.

Mr. DILL. The Senator recognizes, however, that just as soon as we put on a quota, immediately applications by immigrants will be listed. Now there is not any limitation. The immigrant simply makes his application, fulfills the requirements, and is allowed to enter. There will be a vast difference in the treatment of Canadian immigrants as compared to the present time.

Mr. HAYDEN. No; I can not see that it would make the slightest difference. I think the Congressman from Washington is absolutely correct in that regard. If it is known that the number of applications in any year will not exceed the quota, it will not be necessary to list the Canadians numerically.

Mr. DILL. But how will it be known what there may be?

Mr. HAYDEN. Reports will be made monthly to the United States Immigration Service at Washington, and, of course, if the numbers came up to a point where they were anywhere near the total quota during any month, then some such regulation as that would be necessary. The Senator from Washington must concede that the Canadian quota provided in the Johnson bill will not be reached for many, many years.

Mr. DILL. I will not concede that. I do not know when it might be reached.

Mr. HAYDEN. I have not checked his figures, but the Senator stated that only 19,000 Canadians entered the United States each year. The quota for Canada is fixed at over 67,000.

Mr. DILL. On an average, 19,000. That is the figure given by the officials of the Immigration Bureau.

Mr. HAYDEN. Mr. President, the Senator from Washington must also concede that many who come from Canada would not be quota immigrants. Therefore there is not the slightest danger of anything happening such as he anticipates. The House report correctly states the fact that there is absolutely no cause to fear any greater interference with coming and going across the Canadian border than now exists.

That, it seems to me, disposes of the "red-tape" argument so far as it applies to opposition to this bill.

Now we come to the point so well emphasized by the Senator from California [Mr. JOHNSON]. The Senate must choose between these two measures. If we adopt the Harris bill, the first effect is to give offense to our neighbors to the south by omitting from the quota our neighbors to the north. That is one bad effect. The second is that the quota proposed in the Harris bill is now one-half of 1 per cent of the number of persons residing in this country in 1890 from the nations of the Western Hemisphere, except Canada and Newfoundland.

Mr. HARRIS. Mr. President, I know the Senator does not want to misstate the facts. He certainly remembers that that amendment of mine was voted down.

Mr. HAYDEN. I misspoke myself. I should have said 1½ per cent of the number.

Mr. HARRIS. The Senator said one-half of 1 per cent.

Mr. HAYDEN. I should have said 1½ per cent of the number of persons who were in the United States in 1890 who came here from Latin American countries.

I have examined the census returns for 1890 and find that there were 980,938 Canadians in the United States that year. If the quota proposed in the Harris bill were applied, Canada would have a quota of 14,714. There were 77,853 Mexicans in the United States, according to the census of 1890, and 1½ per cent of that would be 1,167. Then, according to the 1890 census statistics, there were 6,198 people from all South America in the United States in 1890. One and one-half per cent of that would be 92 persons who could come into the United States from all of South America. The only way that small figure can be avoided is to allow a minimum quota of 100 to each country.

The other division is the West Indies—that is, Cuba, Haiti, Porto Rico, and the other islands of the Caribbean Sea—lumped together, from which there were 23,556 in the United States in 1890. One and one-half per cent of that number would be 348 from the West Indies.

Common sense dictates that, with the statistics available from the census of 1890, Congress can not lay down quotas for the

West Indies and Latin America. The House committee therefore had good reason to provide that the number coming from the West Indies and from Central and South America should be equivalent to the number of citizens of each country who obtained visas on their passports to enter the United States last year.

The VICE PRESIDENT. The question is on agreeing to the amendment of the Senator from Maine as amended.

Mr. HARRIS. Mr. President, of course everyone in the Senate who is opposed to restricting immigration from Mexico will take the position taken by the Senator from Arizona. They do not want us to shut out the Mexicans. Anyone who votes for the substitute of the Senator from Maine will vote to allow more Mexicans to come into this country than under the bill of which I happen to be the author. There is no use for me to take the time of the Senate longer.

Mr. SHIPSTEAD. Mr. President, can the Senator tell us how many more?

Mr. HARRIS. There would be a good many thousands more.

Mr. SHIPSTEAD. About a thousand more?

Mr. HARRIS. After the first two years, more than a thousand more.

Mr. SHIPSTEAD. Mr. President, did I understand the Senator from Washington to say that he would have no objection if Canada were put upon the same quota basis with Europe?

Mr. DILL. No; I said that nobody had seriously proposed anything of that kind, and it could not be defended, but in order to meet the situation created, an arbitrary rule has been adopted of taking the people who have gone from this country into other countries and multiplying it by four, in order to get the quota high enough for Canada.

Mr. SHIPSTEAD. Of course, all quotas must be based on a somewhat arbitrary rule.

I think something should have been said which I am not aware has been said. I dare say there is no country in Europe which does not provide by law for an embargo upon immigration whenever there is an oversupply of labor. It is perfectly within the right of any country to do that.

I remember some years ago it was necessary for me to write some letters to Canadian immigration officials on behalf of some young men going up into Canada in the summer as tourists. They were turned back at the border because they had nothing to show that they did not intend to work in the harvest fields. There was a great deal of unemployment in Canada, and the Canadian Government was taking steps to see to it that whatever work was available should go to Canadian citizens.

I think the Canadian Government was perfectly right in seeing to it that Canadian citizens should have the work that was available there. I do not find any fault with them for doing that. I am only pointing out what was done. Certainly no nation on the face of the earth can find fault with the Government of the United States, if and when we have such an oversupply of unemployed labor, for adopting reasonable restrictions.

So far as Canada and Mexico are concerned, they are near neighbors. I think we should be as liberal in our construction of travel across the border both ways as is possible. Something like 18,000 or 20,000 Americans go to Canada every year, and somewhat the same number come from Canada here. There is absolutely no restriction. I would say hundreds of thousands of Americans go to Canada to spend the summer, and anything that would hamper or embarrass people who travel across the border by the thousands every year should be avoided, so far as possible.

I do not see, however, how Canada can object to being established on a quota basis where we allow her to send in four times more; at least three and one-half times more Canadians can come into the United States under this proposed legislation than have come in in any one year within the last 10 or 15 years.

I can not see how Canada can take any offense. We do not want to do anything that will offend the Canadian Government. They are our best customers; they are as good people as there are on the face of the earth, and still, at the same time, no one can deny that if we discriminate in favor of one country it is a discrimination against the other countries of the Western Hemisphere. I would very much prefer to have it found possible not to put any of the nations of the Western Hemisphere on a quota basis, but in view of our unemployment situation I do not see how we are going to avoid it.

Mr. WHEELER. Mr. President, there is one question I would like to get clear in my mind. I would like to ask the Senator from Georgia if his bill places a greater limitation upon immigration from Mexico into this country than does the Gould amendment.

Mr. HARRIS. It does, decidedly so.

Mr. WHEELER. And the Gould amendment, as far as the Canadians are concerned, does not limit them; that is, they could send in more than are coming in at the present time?

Mr. HARRIS. Three times as many.

Mr. WHEELER. As far as I am concerned, I have no objection to placing Canada upon a quota basis. As a matter of fact, I think we should do so, but I am much more interested in keeping the Mexicans out than I am in placing Canada upon a quota basis. As I pointed out a while ago, Mexicans are coming into the State of Montana and taking the places of American miners; they are going upon the railroads and taking the places of American workmen. They do not assimilate with Americans as well as any other race of people, excepting some of the orientals, and I think we should do everything we can to limit the number of Mexicans coming into this country. For that reason I am going to vote for the Harris bill.

Mr. NORRIS. Mr. President, I want to submit a parliamentary inquiry to the Chair. If this amendment should prevail, would it still be in order for the Senator from Wyoming [Mr. KENDRICK] to offer his amendment?

The VICE PRESIDENT. It would be in order when the bill gets into the Senate.

Mr. NORRIS. He could not offer it in Committee of the Whole?

The VICE PRESIDENT. Not in Committee of the Whole. The question is on agreeing to the amendment offered by the Senator from Maine, in the nature of a substitute, as amended.

Mr. WALSH of Massachusetts. I ask for the yeas and nays. The yeas and nays were ordered, and the Chief Clerk proceeded to call the roll.

Mr. JOHNSON (when his name was called). I transfer my pair with the Senator from Texas [Mr. CONNALLY] to the Senator from Rhode Island [Mr. HEBERT] and vote "yea."

Mr. METCALF (when his name was called). I have a general pair with the Senator from Maryland [Mr. TYDINGS]. Not knowing how he would vote, I withhold my vote.

Mr. SIMMONS (when his name was called). I transfer my general pair with the senior Senator from Massachusetts [Mr. GILLET] to the Senator from Iowa [Mr. STECK] and vote "nay."

Mr. THOMAS of Oklahoma (when his name was called). On this question I have a general pair with the junior Senator from Illinois [Mr. GLENN]. If he were present, he would vote "yea." If I were privileged to vote, I would vote "nay."

The roll call was concluded.

Mr. CARAWAY (after having voted in the negative). I have a general pair with the junior Senator from California [Mr. SHORTRIDGE]. I transfer that pair to the senior Senator from Nevada [Mr. PITTMAN] and let my vote stand.

Mr. FESS. I desire to announce the following general pairs:

The Senator from New Hampshire [Mr. KEYES] with the Senator from Texas [Mr. SHEPPARD];

The Senator from New Mexico [Mr. CUTTING] with the Senator from Missouri [Mr. HAWES];

The Senator from Pennsylvania [Mr. REED] with the Senator from Arkansas [Mr. ROBINSON];

The Senator from Pennsylvania [Mr. GRUNDY] with the Senator from Florida [Mr. FLETCHER];

The Senator from New Hampshire [Mr. MOSES] with the Senator from Utah [Mr. KING];

The Senator from Indiana [Mr. WATSON] with the Senator from South Carolina [Mr. SMITH]; and

The Senator from Maine [Mr. GOULD] with the Senator from New Mexico [Mr. BRATTON].

The result was announced—yeas 29, nays 37, as follows:

YEAS—29

Ashurst	Fess	Nye	Thomas, Idaho
Bingham	Hayden	Oddie	Vandenberg
Blaine	Johnson	Patterson	Wagner
Borah	Kendrick	Phipps	Walsh, Mont.
Broussard	La Follette	Ransdell	Waterman
Copeland	McCulloch	Robison, Ky.	
Couzens	McNary	Shipstead	
Deneen	Norris	Steiwer	

NAYS—37

Allen	Frazier	Heflin	Stephens
Baird	George	Howell	Sullivan
Barkley	Glass	Jones	Swanson
Black	Goff	Kean	Townsend
Blease	Goldsborough	McKellar	Trammell
Brock	Greene	Norbeck	Walsh, Mass.
Capper	Hale	Overman	Wheeler
Caraway	Harris	Pine	
Dale	Harrison	Robinson, Ind.	
Dill	Hatfield	Simmons	

NOT VOTING—30

Bratton	Connally	Fletcher	Glenn
Brookhart	Cutting	Gillett	Gould

Grundy
Hastings
Hawes
Hebert
Keyes
King

McMaster
Metcalf
Moses
Pittman
Reed
Robinson, Ark.

Schall
Sheppard
Shortridge
Smith
Smoot
Steck

Thomas, Okla.
Tydings
Walcott
Watson

So Mr. GOULD's amendment as amended was rejected.

The VICE PRESIDENT. The bill is still as in Committee of the Whole and open to amendment.

Mr. DILL. Mr. President, the Senator from California [Mr. SHORTRIDGE] offered an amendment a few days ago and had it printed. I discussed the matter with him to-day at noon, and he said if he were not in the Senate at the time the amendment might be offered, I was at liberty to offer it as his amendment. I now offer it and ask that it may be read.

The VICE PRESIDENT. The clerk will read the amendment submitted by the Senator from Washington in behalf of the Senator from California.

The CHIEF CLERK. On page 2, after line 19, insert the following:

That from and after July 1, 1930, migration of citizens of the Philippine Islands to continental United States shall be limited to students, visitors for business or pleasure, merchants, government officials, their families, attendants, servants, and employees.

For the issuance of permits to travel to continental United States an official shall be designated as provided in paragraph (f) of section 28 of the immigration act of 1924, as amended.

This act shall be in force and effect for five years from and after the date of its approval and, if within that time the independence of the Philippines shall have been granted or by act of Congress definitely provided for, then this act shall continue in force indefinitely thereafter.

Mr. DILL. Mr. President, I desire merely to say that under the bill which the Senator from Georgia [Mr. HARRIS] has before us, which will probably be passed by the Senate, every source of cheap labor in the world will have been limited in coming into this country with the exception of Filipino labor. We on the Pacific coast have been forced to bear the brunt of cheap labor from Asia and the Orient for a long period of time. We first had the Chinese inrush of cheap labor and Congress enacted a law to protect the American workmen against that condition. Then we found the Japanese cheap labor as a menace and Congress effectively provided against that condition.

With the shutting out of the Chinese and Japanese those who desired cheap labor found another great source in Mexico, and literally thousands and thousands of Mexicans were brought in to supply that need. When we shut off the Mexican laborers and make it impossible to bring them from Mexico, or others from South and Central America, the tremendous supply of cheap labor to meet the demand will then come from the Philippine Islands.

The amendment does not propose a quota upon the Philippines, for they are under the control of the United States, but it does propose to designate certain consular officers, as provided in the immigration law, who may act to control the migration of people from the Philippines who come here as laborers. This does not prevent the coming of students, it does not prevent the coming of travelers, it does not prevent the coming of those who are engaged in business, but it will give the consular officials of the Government the power to stop the great inrush of cheap labor that will come from the Philippine Islands with the adoption and enforcement of the measure known as the Harris bill.

I believe that we on the Pacific coast are entitled to this protection. The enormous number of Filipinos who have been coming into our Pacific coast cities during the past can not be realized and the effect can not be appreciated by those who live in other sections of the country. We find that thousands of them come afflicted with spinal meningitis, and it has taxed the efforts of our health officials to limit or prevent those who were actually afflicted with that disease coming into the country at all. In addition to that it is claimed by medical men that those who are not yet afflicted with the disease are carriers of spinal meningitis, and when they come into our Pacific coast cities they carry that terrible disease, which is so destructive of the health of the ordinary human being when afflicted with it.

I believe that it is the right and the duty of the Congress to give to the consular officials of the Government the power to control the migration of those laborers who will undoubtedly be brought here in far greater numbers than they now are when the demand is made as a result of cutting off the supply which we have had from Mexico.

Mr. JONES. Mr. President, may I suggest to my colleague that he make this a new section, so that he can refer to it as a separate section rather than as a part of another section?

Mr. DILL. I think that is a good suggestion, to have it numbered as a new section. I ask permission to do that.

The VICE PRESIDENT. The Senator modifies his amendment as stated.

Mr. NORRIS. Mr. President, attention has been called to a very vital thing by the senior Senator from Washington [Mr. JONES]. The amendment of his colleague [Mr. DILL] provides that if a certain contingency happens the entire act shall become null and void. The junior Senator from Washington probably does not intend that, but means merely the provision itself shall become null and void. I think that has been remedied by the suggestion of the senior Senator from Washington which has been adopted by his colleague.

But, Mr. President, while I am in entire sympathy with the argument submitted by the junior Senator from Washington [Mr. DILL], and while I believe that we ought to keep cheap labor out wherever we can honorably do so, yet I can not bring myself to reach the conclusion, while we are holding the Philippine people without their consent, while we are confronted from year to year and from month to month with their demands for freedom, while against their will we are holding them under the dominion and control of our Government, that we should limit the right of those people to come and go from the continental United States just the same as any other citizens of the United States have the right to come and go.

The remedy for the situation, and to my mind the only honorable remedy, is to give the Filipinos their independence. Then I would be glad to put them upon the same quota basis, so far as immigration is concerned, that we apply to like peoples. But we are here retaining our jurisdiction and our control over the Philippine people, making laws under which they must live, and now if the amendment proposed by the junior Senator from Washington should be agreed to we would say to them, in effect, "Except in limited numbers and under certain regulations you can not come to the mainland of the United States."

It seems to me that is inconsistent with every policy and with every fundamental principle which has underlain our Government from the days of the Revolution down to the present hour. I can not understand possibly how on the one hand we can hold them in subjection, as it were, and on the other hand deny to them the freedom of travel which we extend to everybody else. It seems to me, therefore, while I am in entire sympathy with the object the Senator desires to accomplish by his amendment, that this is not an honorable way to do it.

Mr. DILL. Mr. President, will the Senator yield?

The VICE PRESIDENT. Does the Senator from Nebraska yield to the Senator from Washington?

Mr. NORRIS. Certainly.

Mr. DILL. In the meantime, and until we can come to a vote upon the question of Philippine freedom and independence, and it seems to be very doubtful whether that will be within the next year or two, we must suffer from the condition to which I have referred.

Mr. NORRIS. Yes, we must; and we are suffering it because of our own deliberate acts.

Mr. DILL. Does not the Senator think that in the meantime we might very properly control the migration of those people to continental United States?

Mr. NORRIS. I think not. I think it would be just the same as though we levied a tariff upon the products of the Philippine Islands, as some want to do. As I look at it, it would be indefensible to think of levying such a tariff, and it seems to me this proposal is along the same line. We are in a way levying a tariff upon the people themselves and saying to them, "Contrary to your wish and your will, we are going to hold you under our control, but we will not let you come to the mainland of the United States."

Mr. McNARY. Mr. President, I had hoped we might secure a final vote on the unfinished business this afternoon, but I am advised that there are a number of Senators who want to discuss the proposal made by the Senator from Washington [Mr. DILL]. I have also been requested by the Senator from Nebraska and the Senator from Idaho to move an executive session.

FLATHEAD RIVER POWER PROJECT, MONTANA

Mr. FRAZIER. Mr. President, I ask unanimous consent to have printed in the RECORD a brief tabulation showing a comparison of the proposal of Walter H. Wheeler with that of the Rocky Mountain Power Co. in connection with the development of the Flathead River project in Montana.

There being no objection, the matter was ordered to be printed in the RECORD, as follows:

Flathead River power project, Montana—Comparison of proposal of Walter H. Wheeler with proposal of Rocky Mountain Power Co.

Item	Wheeler's water power-industrial development	Rocky Mountain Power development controlled by Electric Bond & Share Co.
Number of power sites to be developed.	5.	1.
Average horsepower to be generated per annum.	214,000.	68,000.
Total investment in power plants.	\$18,000,000.	\$7,500,000.
Total investment in chemical, metallurgical, industrial, and fertilizer plants.	\$30,000,000 to \$50,000,000.	Nothing.
Probable number of men to be permanently employed.	1,000 in power plant and industries.	4 to 10 to run power plant only.
Probable annual revenue to be paid Indians.	\$240,000.	\$68,000.

LONDON NAVAL CONFERENCE

Mr. McKELLAR. Mr. President, I ask unanimous consent to have printed in the RECORD a copy of the proposed London naval treaty.

I also ask, in the same connection, to have printed in the RECORD an article by Frank H. Simonds appearing in last Sunday's Washington Star; also an article appearing in the New York Evening Post of April 21, 1930, commenting upon statements by Mr. Bickel, one of the best-known correspondents in the country.

I ask that those be printed in the RECORD as a part of my remarks.

There being no objection, the matter referred to was ordered to be printed in the RECORD, as follows:

[From the Washington Evening Star, April 22, 1930]

TEXT OF TREATY

PART I

Article I

The high contracting parties agree not to exercise their rights to lay down the keels of capital ship replacement tonnage during the years 1931-1936, inclusive, as provided in Chapter II, part 3, of the treaty for the limitation of naval armament signed between them at Washington on the 6th of February, 1922, and referred to in the present treaty as the Washington treaty.

This provision is without prejudice to the disposition relating to the replacement of ships accidentally lost or destroyed contained in Chapter II, part 3, section 1, paragraph (C) of the said treaty.

France and Italy may, however, build the replacement tonnage which they were entitled to lay down in 1927 and 1929 in accordance with the provisions of the said treaty.

Article II

1. The United States, the United Kingdom of Great Britain and Northern Ireland and Japan shall dispose of the following capital ships as provided in this article:

United States: *Florida, Utah, Arkansas, or Wyoming.*

United Kingdom: *Benbow, Iron Duke, Marlborough, Emperor of India, Tiger.*

Japan: *Hiyel.*

(A) Subject to the provisions of subparagraph (b), the above ships unless converted to target use exclusively, in accordance with Chapter II, part 2, Paragraph II (c) of the Washington treaty, shall be scrapped in the following manner:

One of the ships to be scrapped by the United States and two of those to be scrapped by the United Kingdom shall be rendered unfit for warlike service, in accordance with Chapter II, part 2, Paragraph III (b) of the Washington treaty, within 12 months from the coming into force of the present treaty. These ships shall be finally scrapped, in accordance with Paragraph II (a) or (b) of the said part 2, within 24 months of the said coming into force. In the case of the second of the ships to be scrapped by the United States and of the third and fourth of the ships to be scrapped by United Kingdom, the said periods shall be 18 and 30 months, respectively, from the coming into force of the present treaty.

(B) Of the ships to be disposed of under this article, the following may be retained for training purposes:

By the United States: *Arkansas or Wyoming.*

By the United Kingdom: *Iron Duke.*

By Japan: *Hiyel.*

These ships shall be reduced to the condition prescribed in Section V of Annex II to Part II of the present treaty. The work of reducing these vessels to the required condition shall begin, in the case of the United States and the United Kingdom, within 12 months, and in the case of Japan within 8 months from the coming into force of the present treaty; the work shall be completed within six months of the expiration of the above-mentioned periods.

Any of these ships which are not retained for training purposes shall be rendered unfit for warlike service within 18 months and finally scrapped within 30 months of the coming into force of the present treaty.

2. Subject to any disposal of capital ships which might be necessitated, in accordance with the Washington treaty, by building by France or Italy of the replacement tonnage referred to in Article I of the present treaty, all existing capital ships mentioned in chapter 2, part 3, section 2, of the Washington treaty and not designated above to be disposed of may be retained during the term of the present treaty.

3. The right of replacement is not lost by delay in laying down replacement tonnage, and the old vessel may be retained until replaced, even though due for scrapping under chapter 2, part 3, section 2, of the Washington treaty.

Article III

1. For the purpose of the Washington treaty, the definition of an aircraft carrier given in chapter 2, part 4, of the said treaty is hereby replaced by the following definition:

The expression "aircraft carrier" includes any surface vessel of war, whatever its displacement, designed for the specific and exclusive purpose of carrying aircraft and so constructed that aircraft can be launched therefrom and landed thereon.

2. The fitting of a landing-on or flying-off platform on deck of a capital ship, cruiser, or destroyer, provided such vessel was not designed or adapted exclusively as an aircraft carrier, shall not cause any vessel so fitted to be charged to or classified in the category of aircraft carriers.

3. No existing capital ship shall be fitted with a landing-on platform or deck.

Article IV

1. No aircraft carrier of 10,000 tons (10,160 metric tons) or less standard displacement mounting a gun above 6.1 inches (155 millimeters) caliber shall be acquired by or constructed by or for any of the high contracting parties.

2. As from the coming into force of the present treaty in respect of all the high contracting parties, no aircraft carrier of 10,000 tons (10,160 metric tons) or less standard displacement mounting a gun in excess of 6.1 inches (155 millimeters) shall be constructed within the jurisdiction of any of the high contracting parties.

Article V

An aircraft carrier must not be designed and constructed for carrying a more powerful armament than that authorized by Article IX or Article X of the Washington treaty or by Article IV of the present treaty, as the case may be. Wherever in the said Articles IX and X of the Washington treaty the caliber of 6 inches (152 millimeters) is mentioned, the caliber of 6.1 inches (155 millimeters) is substituted therefor.

PART 2

Article VI

1. The rules for determining standard displacement described in chapter 2, part 4, of the Washington treaty shall apply to all surface vessels of war of each of the high contracting parties.

2. The standard displacement of a submarine is the surface displacement of the vessel complete (exclusive of the water in nonwater-tight structure), fully manned, engine, and equipped ready for sea, including all armament and ammunition, equipment, outfit, provisions for crew, miscellaneous stores, and implements of every description that are intended to be carried in war, but without fuel, lubricating oil, fresh water, or ballast of any kind on board.

PART 3

Each naval combatant vessel shall be rated at its displacement tonnage when in the standard condition. The word "ton," except in the expression "metric tons," shall be understood to be the ton of 2,240 pounds (1,016 kilos).

Article VII

1. No submarine the standard displacement of which exceeds 2,000 tons (2,032 metric tons) or with a gun above 5.1 inches (130 mm.) caliber shall be acquired by or constructed by or for any of the high contracting parties.

2. The high contracting parties may, however, retain, build, or acquire a maximum number of three submarines of a standard displacement not exceeding 2,800 tons (2,845 metric tons); these submarines may carry guns not above 6.1 inches (155 mm.) caliber. Within this number France may retain one unit, already launched, of 2,880 tons (2,926 metric tons), with guns the caliber of which is 8 inches (203 mm.).

3. The high contracting parties may retain the submarines which they possessed on the 1st of April, 1930, having a standard displacement not in excess of 2,000 tons (2,032 metric tons), and armed with guns above 5.1 inches (130 mm.) caliber.

4. As from the coming into force of the present treaty in respect of all the high contracting parties, no submarine, the standard displacement of which exceeds 2,000 tons (2,032 metric tons), or with a gun

above 5.1 inches (130 mm.) caliber, shall be constructed within the jurisdiction of any of the high contracting parties, except as provided in paragraph 2 of this article.

Article VIII

Subject to any special agreements which may submit them to limitation, the following vessels are exempt from limitation:

(A) Naval surface combatant vessels of 600 tons (610 metric tons) standard displacement and under.

(B) Naval surface combatant vessels exceeding 600 tons (610 metric tons), but not exceeding 2,000 tons (2,032 metric tons) standard displacement, provided they have none of the following characteristics:

- (1) Mount a gun above 6.1 inches (155 mm.) caliber.
- (2) Mount more than four guns above 3 inches (76 mm.) caliber.
- (3) Are designed or fitted to launch torpedoes.
- (4) Are designed for a speed greater than 20 knots.

(C) Naval surface vessels not specifically built as fighting ships which are employed on fleet duties or as troop transports or in some other way than as fighting ships, provided they have none of the following characteristics:

- (1) Mount a gun above 6.1 inches (155 mm.) caliber.
- (2) Mount more than four guns above 3 inches (76 mm.) caliber.
- (3) Are designed or fitted to launch torpedoes.
- (4) Are designed for a speed greater than 20 knots.
- (5) Are protected by armor plate.
- (6) Are designed or fitted to launch mines.
- (7) Are fitted to receive airplanes on board from the air.
- (8) Mount more than one airplane-launching apparatus on the center line, or two, one on each broadside.
- (9) If fitted with any means of launching airplanes into the air, are designed or adapted to operate at sea more than three airplanes.

Article IX

The rules as to replacement contained in annex 1 to this Part II are applicable to vessels of war not exceeding 10,000 tons (10,160 metric tons) standard displacement, with the exception of aircraft carriers, whose replacement is governed by the provisions of the Washington treaty.

Article X

Within one month after the date of laying down and the date of completion, respectively, of each vessel of war, other than capital ships, aircraft carriers, and the vessels exempt from limitation under Article VIII, laid down or completed by or for them after the coming into force of the present treaty, the high contracting parties shall communicate to each of the other high contracting parties the information detailed below:

(A) The date of laying the keel and the following particulars:

The classification of the vessel.

Standard displacement in tons and metric tons.

The principal dimensions, namely, length at water line, extreme beam at or below water line, mean draft at standard displacement, the caliber of the largest gun.

(B) The date of completion, together with the foregoing particulars relating to the vessel at that date.

The information to be given in the case of capital ships and aircraft carriers is governed by the Washington treaty.

Article XI

Subject to the provisions of Article II of the present treaty, the rules for disposal contained in Annex II to this Part II shall be applied to all vessels of war to be disposed of under the said treaty, and to aircraft carriers as defined in Article III.

Article XII

1. Subject to any supplementary agreements which may modify, as between the high contracting parties concerned, the lists in Annex III of this Part II, the special vessels shown therein may be retained and their tonnage shall not be included in the tonnage subject to limitation.

2. Any other vessel constructed, adapted, or acquired to serve the purposes for which these special vessels are retained shall be charged against the tonnage of the appropriate combatant category, according to the characteristics of the vessel, unless such vessel conforms to the characteristics of vessels exempt from limitation under Article VIII.

3. Japan may, however, replace the mine layers *Aso* and *Tokiwa* by two new mine layers before December 31, 1936. The standard displacement of each of the new vessels shall not exceed 5,080 metric tons; their speed shall not exceed 20 knots, and their other characteristics shall conform to the provisions of paragraph (B) of Article VIII. The new vessels shall be regarded as special vessels, and their tonnage shall not be chargeable to the tonnage of any combatant category. The *Aso* and *Tokiwa* shall be disposed of in accordance with Section I or II of annex 2 to this Part II on completion of the replacement vessels.

4. The *Asama*, *Yakumo*, *Izumo*, *Iwate*, and *Kasuga* shall be disposed of as stated in Section I or II of annex 2 to this Part II when the first three vessels of the *Kuma* class have been replaced by new vessels. These three vessels of the *Kuma* class shall be reduced to the condition prescribed in Section V, subparagraph (B) 2 of annex 2 to this Part II, and are to be used for training ships, and their tonnage shall not thereafter be included in the tonnage subject to limitation.

Article XIII

Existing ships of various types which, prior to April 1, 1930, have been used as stationary training establishments or hulks may be retained in a nonseagoing condition.

Annexes follow:

ANNEX I

RULES FOR REPLACEMENT

Section I

Except as provided in section 3 of this annex and annex 3 of the present treaty, a vessel shall not be replaced before it becomes "over age." A vessel shall be deemed to be "over age" when the following number of years have elapsed since the date of its completion:

(A) For a surface vessel exceeding 3,000 tons (3,048 metric tons), but not exceeding 10,000 tons (10,160 metric tons), standard displacement:

- (I) If laid down before January 1, 1920, 16 years.
- (II) If laid down after December 31, 1919, 20 years.

(B) For a surface vessel not exceeding 3,000 tons (3,048 metric tons), standard displacement:

- (I) If laid down before January 1, 1921, 12 years.
- (II) If laid down after December 31, 1920, 16 years.

(C) For a submarine, 13 years.

The keels of replacement tonnage shall not be laid down more than three years before the year in which the vessel to be replaced becomes "over age," but this period is reduced to two years in the case of any replacement surface vessel not exceeding 3,000 tons (3,048 metric tons), standard displacement.

The right of replacement is not lost by delay in laying down replacement tonnage.

Section II

Except as otherwise provided in the present treaty, the vessel or vessels whose retention would cause the maximum tonnage permitted in the category to be exceeded, shall, on the completion or acquisition of replacement tonnage, be disposed of in accordance with Annex II to this Part II.

Section III

In the event of loss or accidental destruction, a vessel may be immediately replaced.

ANNEX II

Rules for disposal of vessels of war:

The present treaty provides for the disposal of vessels of war in the following ways:

- (I) By scrapping (sinking or breaking up).
- (II) By converting the vessel to a hulk.
- (III) By converting the vessel to target use exclusively.
- (IV) By retaining the vessel exclusively for experimental purposes.
- (V) By retaining the vessel exclusively for training purposes. Any vessel of war to be disposed of, other than a capital ship, may either be scrapped or converted to a hulk, at the option of the high contracting party concerned.

Vessels other than capital ships which have been retained for target usages, experimental or training purposes, shall finally be scrapped or converted to hulks.

Section I

Vessels to be scrapped:

(A) A vessel to be disposed of by scrapping, by reason of its replacement, must be rendered incapable of warlike service within six months of the day of the completion of its successor, or of the first of its successors, if there are more than one. If, however, the completion of the new vessel or vessels be delayed, the work of rendering the old vessel incapable of warlike service shall, nevertheless, be completed within $4\frac{1}{2}$ years from the date of laying the keel of the new vessel, or of the first of the new vessels; but should the new vessel, or any of the new vessels, be a surface vessel not exceeding 3,000 tons (3,048 metric tons), standard displacement, this period is reduced to $3\frac{1}{2}$ years.

3. Japan may, however, replace the mine layers *Aso* and *Tokuca* by two new mine layers before December 31, 1936. The standard displacement of each of the new vessels shall not exceed 5,000 tons (5,080 metric tons), their speed shall not exceed 20 knots, and their other characteristics shall conform to the provisions of paragraph (b) of article 8. The new vessels shall be regarded as special vessels and their tonnage shall not be chargeable to the tonnage of any combatant category. The *Aso* and *Tokuca* shall be disposed of in accordance with section 1 or 2 of Annex II to this part 2 on completion of the replacement vessels.

4. The *Asama*, *Yakumo*, *Izumo*, *Iwate*, and *Kasuga* shall be disposed of as stated in section 1 or 2 of Annex II to this part 2, when the first three vessels of the *Kuma* class have been replaced by new vessels. These three vessels of the *Kuma* class shall be reduced to the condition prescribed in section 5, subparagraph (b) 2 of Annex II to this part 2, and are to be used for training ships, and their tonnage shall not thereafter be included in the tonnage subject to limitation.

Article 13

Existing ships of various types which prior to April 1, 1930, have been used as stationary training establishments or hulks may be retained in a nonseagoing condition.

Annexes follow:

ANNEX I

RULES FOR REPLACEMENT

Section 1

Except as provided in section 3 of this annex and Annex III of the present treaty, a vessel shall not be replaced before it becomes "over age." A vessel shall be deemed to be "over age" when the following number of years have elapsed since the date of its completion:

(a) For a surface vessel exceeding 3,000 tons (3,048 metric tons), but not exceeding 10,000 tons (10,160 metric tons), standard displacement:

- (1) If laid down before January 1, 1920, 16 years.
- (2) If laid down after December 31, 1919, 20 years.

(b) For a surface vessel not exceeding 3,000 tons (3,048 metric tons), standard displacement:

- (1) If laid down before January 1, 1921, 12 years.
- (2) If laid down after December 31, 1920, 16 years.

(c) For a submarine, 13 years.

The keels of replacement tonnage shall not be laid down more than three years before the year in which the vessel to be replaced becomes "over age," but this period is reduced to two years in the case of any replacement surface vessel not exceeding 3,000 tons (3,048 metric tons), standard displacement.

The right of replacement is not lost by delay in laying down replacement tonnage.

Section 2

Except as otherwise provided in the present treaty, the vessel or vessels, whose retention would cause the maximum tonnage permitted in the category to be exceeded, shall, on the completion or acquisition of replacement tonnage, be disposed of in accordance with Annex II to this Part II.

Section 3

In the event of loss or accidental destruction a vessel may be immediately replaced.

ANNEX II

RULES FOR THE DISPOSAL OF VESSELS OF WAR

The present treaty provides for the disposal of vessels of war in the following ways:

- (I) By scrapping (sinking or breaking up).
- (II) By converting the vessel to a hulk.
- (III) By converting the vessel to target use exclusively.
- (IV) By retaining the vessel exclusively for experimental purposes.
- (V) By retaining the vessel exclusively for training purposes. Any vessel of war to be disposed of, other than a capital ship, may either be scrapped or converted to a hulk at the option of the high contracting party concerned. Vessels, other than capital ships, which have been retained for target usages, experimental or training purposes, shall finally be scrapped or converted to hulks.

Section 1

VESSELS TO BE SCRAPPED

(a) A vessel to be disposed of by scrapping, by reason of its replacement, must be rendered incapable of warlike service within six months of the day of the completion of its successor, or of the first of its successors if there are more than one. If, however, the completion of the new vessel or vessels be delayed, the work of rendering the old vessel incapable of warlike service shall, nevertheless, be completed within $4\frac{1}{2}$ years from the date of laying the keel of the new vessel or of the first of the new vessels; but should the new vessel, or any of the new vessels, be a surface vessel not exceeding 3,000 tons (3,048 metric tons), standard displacement, this period is reduced to $3\frac{1}{2}$ years.

(b) A vessel to be scrapped shall be considered incapable of warlike service when there shall have been removed and landed or else destroyed in the ship:

- (1) All guns and essential parts of guns, fire-control tops, and revolving parts of all barbets and turrets.
- (2) All hydroelectric machinery for operating turrets.
- (3) All fire-control instruments and range finders.
- (4) All ammunition, explosives, mines, and mine rails.
- (5) All torpedoes, war heads, torpedo tubes, and training racks.
- (6) All wireless telegraphy installations.
- (7) All main propelling machinery or alternatively the armored conning tower and all side armor plate.
- (8) All aircraft cranes, derricks, lifts, and launching apparatus. All landing-on or flying-off platforms or alternatively all main propelling machinery.
- (9) In addition, in the case of submarines, all main storage batteries, air-compressor plants, and baler pumps.

(c) Scrapping shall be finally effected in either of the following ways within 12 months of the day on which the work of rendering the vessel incapable of war-like service is due for completion:

- (1) Permanent sinking of the vessel.
- (2) Breaking the vessel up; this shall always include the destruction or removal of all machinery, boilers, and armor, and all deck, side, and bottom plating.

Section II

VESSELS TO BE CONVERTED TO HULKS

A vessel to be disposed of by conversion to a hulk shall be considered finally disposed of when the conditions prescribed in section (I), paragraph (BL) have been complied with, omitting subparagraphs (6), (7), and (8), and when the following have been effected:

- (1) Mutilation beyond repair of all polishing shafts, thrust blocks, turbine gearing, or main propelling motors, and turbines or cylinders of main engines.
- (2) Removal of propeller boxes.
- (3) Removal and breaking up of all aircraft lifts, and the removal of all aircraft cranes, derricks, and launching apparatus.

The vessel must be put in the above condition within the same limits of time as provided in section (I) for rendering a vessel incapable of war-like service.

Section III

VESSELS TO BE CONVERTED TO TARGET USE

(A) A vessel to be disposed of by conversion to target use exclusively shall be considered incapable of war-like service when there have been removed and landed, or rendered unserviceable only, the following:

- (1) All guns;
- (2) All fire control tops and instruments and main fire control communication wiring;
- (3) All machinery for operating gun mountings or turrets;
- (4) All ammunition, explosives, mines, torpedoes, and torpedo tubes;
- (5) All aviation facilities and accessories.

The vessel must be put into the above condition within the same limits of time as provided in Section I for rendering a vessel incapable of warlike service.

(B) In addition to the rights already possessed by each high contracting party under the Washington treaty, each high contracting party is permitted to retain, for target use exclusively, at any one time:

- (1) Not more than three vessels (cruisers or destroyers), but of these three vessels only one may exceed 3,000 tons (3,048 metric tons) standard displacement.
- (2) One submarine.

(C) On retaining a vessel for target use the high contracting party undertakes not to recondition it for warlike service.

Section IV

VESSELS RETAINED FOR EXPERIMENTAL PURPOSES

(A) A vessel to be disposed of by conversion to experimental purposes exclusively shall be dealt with in accordance with the provisions of Section II (A), this annex.

(B) Without prejudice to the general rules, and provided that due notice be given to the other high contracting parties, reasonable variation from the conditions prescribed in Section II (A), this annex, in so far as may be necessary for the purposes of a special experiment, may be permitted as a temporary measure.

Any high contracting party taking advantage of this provision is required to furnish full details of any such variations and the period for which they will be required.

(C) Each high contracting party is permitted to retain for experimental purposes exclusively at any one time:

- (I) Not more than two vessels (cruisers or destroyers), but of these two vessels only one may exceed 3,000 tons (3,048 metric tons) standard displacement;
- (II) One submarine.

(D) The United Kingdom is allowed to retain in their present conditions the monitor *Roberts*, the main armament guns and mountings of which have been mutilated, and the seaplane carrier *Ark Royal*, until no longer required for experimental purposes. The retention of these two vessels is without prejudice to the retention of vessels permitted under (C) above.

On retaining a vessel for experimental purposes the high contracting party undertakes not to recondition it for warlike service.

Section V

Vessels retained for training purposes: (a) In addition to the rights already possessed by each high contracting party under the Washington treaty, each high contracting party is permitted to retain for training purposes exclusively the following vessels:

United States—One capital ship (*Arkansas* or *Wyoming*).

France—Two surface vessels, one of which may exceed 3,000 tons (3,048 metric tons) standard displacement.

United Kingdom—One capital ship (*Iron Duke*).

Italy—Two surface vessels, one of which may exceed 3,000 tons (3,048 metric tons) standard displacement.

Japan—One capital ship (*Hiyel*), three cruisers (*Kuma* class).

(b) Vessels retained for training purposes under the provisions of paragraph (a) shall within six months of the date on which they are required to be disposed of be dealt with as follows:

CAPITAL SHIPS

The following is to be carried out:

- (1) Removal of main armament guns, revolving parts of all barbettes and turrets, machinery for operating turrets; but three turrets with their armament may be retained in each ship.

- (2) Removal of all ammunition and explosives in excess of the quantity required for target practice training for the guns remaining on board.

- (3) Removal of conning tower and the side armor belt between the foremost and aftermost barbettes.

- (4) Removal or mutilation of all torpedo tubes.

- (5) Removal or mutilation on board of all boilers in excess of the number required for a maximum speed of 18 knots.

2. Cruisers retained by France, Italy, and Japan.

- (1) Removal of one-half of guns; but four guns of main caliber may be retained on each vessel.

- (2) Removal of all torpedo tubes.

- (3) Removal of all aviation facilities and accessories.

- (4) Removal of one-half of boilers.

(c) The high contracting party concerned undertakes that vessels retained in accordance with the provisions of this section shall not be used for any combatant purposes.

ANNEX III

Special vessels

UNITED STATES

Name and type of vessel:	Tons
<i>Aroostook</i> , mine layer	4,950
<i>Ogalala</i> , mine layer	4,950
<i>Baltimore</i> , mine layer	4,413
<i>San Francisco</i> , mine layer	4,083
<i>Cheyenne</i> , monitor	2,800
<i>Helena</i> , gunboat	1,392
<i>Isabel</i> , yacht	938
<i>Niagara</i> , yacht	2,600
<i>Bridgeport</i> , destroyer tender	11,750
<i>Dobbin</i> , destroyer tender	12,450
<i>Mcville</i> , destroyer tender	7,250
<i>Whitney</i> , destroyer tender	12,450
<i>Holland</i> , submarine tender	11,570
<i>Henderson</i> , naval transport	10,000

Total..... 91,496

FRANCE

<i>Castor</i> , mine layer	3,150
<i>Pollux</i> , mine layer	2,461
<i>Commandant-Teste</i> , seaplane carrier	10,000
<i>Aisne</i> , dispatch vessel	600
<i>Marne</i> , dispatch vessel	600
<i>Ancre</i> , dispatch vessel	604
<i>Scarpe</i> , dispatch vessel	604
<i>Suippe</i> , dispatch vessel	604
<i>Dunkerque</i> , dispatch vessel	644
<i>Laffaux</i> , dispatch vessel	644
<i>Bapaume</i> , dispatch vessel	644
<i>Nancy</i> , dispatch vessel	644
<i>Calais</i> , dispatch vessel	644
<i>Lassigny</i> , dispatch vessel	644
<i>Les Eparges</i> , dispatch vessel	644
<i>Remiremont</i> , dispatch vessel	644
<i>Tahure</i> , dispatch vessel	644
<i>Toul</i> , dispatch vessel	644
<i>Hainauttal</i> , dispatch vessel	644
<i>Lievin</i> , dispatch vessel	644
net layer	2,293

Total..... 28,644

BRITISH COMMONWEALTH OF NATIONS

<i>Adventurer</i> , mine layer (United Kingdom)	6,740
<i>Albatross</i> , seaplane carrier (Australia)	5,000
<i>Erebus</i> , monitor (United Kingdom)	7,200
<i>Terror</i> , monitor (United Kingdom)	7,200
<i>Marshall Soult</i> , monitor (United Kingdom)	6,400
<i>Clive</i> , sloop (India)	2,021
<i>Medway</i> , submarine depot Shi (United Kingdom)	15,000

Total..... 49,651

ITALY

<i>Miragli</i> , seaplane carrier	4,880
<i>Faa Di Bruno</i> , monitor	2,800
<i>Monte Grappa</i> , monitor	605
<i>Montello</i> , monitor	605
<i>Monte Cengio</i> , ex-monitor	500
<i>Monte Novigno</i> , ex-monitor	500
<i>Compania</i> , sloop	2,070

Total..... 11,960

JAPAN

<i>Aso</i> , mine layer	7,180
<i>Tokica</i> , mine layer	9,240
<i>Asama</i> , old cruiser	9,240
<i>Yakumo</i> , old cruiser	9,010
<i>Yakumo</i> , old cruiser	9,240
<i>Iwate</i> , old cruiser	9,240
<i>Kasuga</i> , old cruiser	7,080
<i>Yodo</i> , gunboat	1,320

Total..... 61,430

PART 3

The President of the United States of America, His Majesty the King of Great Britain, Ireland, and the British Dominions beyond the seas, Emperor of India, and His Majesty the Emperor of Japan have agreed as between themselves to the provisions of this part 3:

Article XIV

The naval combatant vessels of the United States, the British Commonwealth of Nations, and Japan, other than capital ships, aircraft carriers, and all vessels except from limitation under Article VIII, shall be limited during the term of the present treaty as provided in this part 3, and in the case of special vessels, as provided in Article XII.

Article XV

For the purpose of this part 3 the definition of the cruiser and destroyer categories shall be as follows:

Cruisers: Surface vessels of war, other than capital ships or aircraft carriers, the standard displacement of which exceeds 1,850 tons (1,880 metric tons), or with a gun above 5.1 inches (130 mm.) caliber.

The cruiser category is divided into the following subcategories:

(a) Cruisers carrying a gun above 6.1 inches (155 mm.) caliber.

(b) Cruisers carrying a gun not above 6.1 inches (155 mm.) caliber.

Destroyers: Surface vessels the standard displacement of which does not exceed 1,850 tons (1,880 metric tons), and with a gun not above 5.1 inches (130 mm.) caliber.

Article XVI

1. The completed tonnage in the cruiser, destroyer, and submarine categories, which is not to be exceeded on December 31, 1936, is given in the following table:

	United States	United Kingdom	Japan
Cruisers:	Tons	Tons	Tons
With guns of more than 6.1-inch (155 mm.) caliber	180,000	146,800	108,400
With guns of 6.1-inch (155 mm.) caliber or less	182,880	149,149	110,134
Destroyers	143,500	192,200	100,450
	145,796	195,275	102,057
Submarines	150,000	150,000	105,450
	152,400	152,400	107,188
	52,700	52,700	52,700
	53,543	53,543	53,543

¹ Metric tons.

2. Vessels which cause the total tonnage in any category to exceed the figures given in the foregoing table shall be disposed of gradually during the period ending on December 31, 1936.

3. The maximum number of cruisers of subcategories (a) shall be as follows:

For the United States, 18; for the United Kingdom, 15; for Japan, 12.

4. In the destroyer category not more than 16 per cent of the allowed total tonnage shall be employed in vessels of over 1,500 tons (1,524 metric tons) standard displacement. Destroyers completed or under construction on April 1, 1930, in excess of this percentage, may be retained, but no other destroyers exceeding 1,500 tons (1,524 metric tons) standard displacement shall be constructed or acquired until a reduction to such 16 per cent has been effected.

5. Not more than 25 per cent of the allowed total tonnage in the cruiser category may be fitted with a landing-on platform or deck for aircraft.

6. It is understood that the submarines referred to in paragraphs 2 and 3 of Article XII will be counted as part of the total submarine tonnage of the high contracting parties concerned.

7. The tonnage of any vessels retained under Article XIII or disposed of in accordance with annex 2 to part 2 of the present treaty shall not be included in the tonnage subject to limitation.

ARTICLE XVII

A transfer not exceeding 10 per cent of the allowed total tonnage of the category or subcategory into which the transfer is to be made shall be permitted between cruiser of subcategory (b) and destroyers.

ARTICLE XVIII

The United States contemplates the completion by 1935 of 15 cruisers of subcategory (a) of an aggregate tonnage of 150,000 tons (152,400 metric tons). For each of the remaining three cruisers of subcategory (a) which it is entitled to construct, the United States may elect to substitute 15,166 tons (15,409 metric tons) of cruisers of subcategory (b). Subject to this option the sixteenth unit will not be laid down before 1933, and will not be completed before 1936; the seventeenth will not be laid down before 1934 and will not be completed before 1937; the eighteenth will not be laid down before 1935 and will not be completed before 1938.

Article XIX

Except as provided in Article XX, the tonnage laid down in any category subject to limitation in accordance with Article XVI shall not exceed the amount necessary to reach the maximum allowed tonnage of the category, or to replace vessels that become "overage" before December 31, 1936.

Nevertheless replacement tonnage may be laid down for cruisers and submarines that become "overage" in 1937, 1938, and 1939, and for destroyers that become "overage" in 1937 and 1938.

Article XX

Notwithstanding the rules for replacement contained in annex 1 to part 2:

(a) The *Frobisher* and *Effingham* (United Kingdom) may be disposed of during the year 1936. Apart from the cruisers now under construction, the total replacement tonnage of cruisers to be completed, in the case of the United Kingdom, prior to December 31, 1936, shall not exceed 91,000 tons (92,456 metric tons).

(b) Japan may replace the *Tama* by new construction to be completed during the year 1936.

(c) In addition to replacing destroyers becoming "overage" before December 31, 1936, Japan may lay down, in each of the years 1935 and 1936, not more than 5,200 tons (5,283 metric tons) to replace part of the vessels that become "overage" in 1938 and 1939.

(d) Japan may anticipate replacement during the term of the present treaty by laying down not more than 19,200 tons (19,507 metric tons) of submarine tonnage, of which not more than 12,000 tons (12,192 metric tons) shall be completed by December 31, 1936.

Article XXI

If, during the term of the present treaty, the requirements of the national security of any high contracting party in respect of vessels of war limited by part 2 of the present treaty are, in the opinion of that party, materially affected by new construction of any power other than those who have joined in part 3 of this treaty, that high contracting party will notify the other parties to part 3 as to the increase required to be made in its own tonnages within one or more of the categories of such vessels of war, specifying particularly the proposed increases and the reasons therefor, and shall be entitled to make such increase. Thereupon the other parties to part 3 of this treaty shall be entitled to make a proportionate increase in the category or categories specified; and the said other parties shall promptly advise with each other through diplomatic channels as to the situation thus presented.

PART 4

Article XXII

The following are accepted as established rules of international law:

(I) In their action with regard to merchant ships, submarines must conform to the rules of international law to which surface vessels are subject.

(II) In particular, except in case of persistent refusal to stop on being duly summoned, or of active resistance to visit or search, a warship, whether surface vessel or submarine boat, may not sink or render incapable of navigation a merchant vessel without having first placed passengers, crew, and ship's papers in a place of safety. For this purpose the ship's boats are not regarded as a place of safety unless the safety of the passengers and crew is assured, in the existing sea and weather conditions, by the proximity of land, or the presence of another vessel which is in a position to take them on board.

The high contracting parties invite all other powers to express their assent to the above rules.

PART 5

Article XXIII

The present treaty shall remain in force until the 31st of December, 1936, subject to the following exceptions:

(1) Part IV shall remain in force without any limit of duration.

(2) The provisions of Articles III, IV, and V and Article II, so far as may relate to aircraft carriers, shall remain in force for the same period as the Washington treaty.

Unless the high contracting parties should agree otherwise by reason of a more generally known agreement limiting naval armaments, to which they all become parties, they shall meet in conference in 1935 to frame a new treaty to replace and to carry out the purposes of the present treaty, it being understood that none of the provisions of the present treaty shall prejudice the attitude of any of the high contracting parties as the conference agreed to.

Article XXIV

1. The present treaty shall be ratified by the high contracting parties in accordance with their respective constitutional methods and the ratification shall be deposited at London as soon as possible. Certified copies of all the *procès verbaux* of the deposit of ratification will be transmitted to all the high contracting parties.

2. As soon as the ratification of the United States of America or His Majesty the King of Great Britain, Ireland, and the British dominions beyond the seas, Emperor of India, in respect of each and all of the members of the British commonwealth of nations as enumerated in the preamble of the present treaty, and of his Majesty the Emperor of Japan have been deposited the treaty shall come into force in respect of the said high contracting parties.

3. On the date of the coming into force referred to in the preceding paragraph parts 1, W, R, and 5 of the present treaty will come into

force in respect to the French Republic and the Kingdom of Italy if their ratifications have been deposited at that date; otherwise, these parts will come into force in respect of each of these powers on the deposit of their ratifications.

4. The rights and obligations resulting from part 3 of the present treaty are limited to the high contracting parties mentioned in paragraph 2 of this article.

The high contracting parties will agree as to the date on which, and the conditions under which, the obligations assumed under the said part 3 by the high contracting parties mentioned in paragraph 2 of this article will bind them in relation to France and Italy; such agreement will determine at the same time the obligations of France and Italy in relation to the other high contracting parties.

Article XXV

After the deposit of the ratifications of all the high contracting parties, His Britannic Majesty's Government in the United Kingdom, Great Britain, and Northern Ireland will communicate, on their behalf, the provisions inserted in part 4 of the present treaty to all governments, inviting them to accede thereto definitely and without limit of time.

Such accession shall be effected by a declaration addressed to His Britannic Majesty's Government in the United Kingdom, Great Britain, and Northern Ireland.

Article XXVI

The present treaty, of which the French and English texts are both authentic, shall remain deposited in the archives of His Britannic Majesty's Government in the United Kingdom. Duly certified copies thereof shall be transmitted to the governments of all the high contracting parties. In faith whereof the above-named plenipotentiaries have signed the present treaty and have affixed thereto their seals. Done at London the 22d day of April, 1930.

[From the Washington Sunday Star of April 20, 1930]

PARITY DEMAND OF UNITED STATES SHAPED PARLEY RESULT—THREE-POWER NAVAL PACT WITH FIVE-POWER TRIMMINGS BELIEVED TO MEAN SENATE ROW

By Frank H. Simonds

After four months of confusion and contradiction hardly paralleled even in the bewildering post-war array of international conferences, the world is at last presented with something like the completed product of the naval conference.

The best way of estimating the real achievement of the London conference is to weigh the results against the expectations, which, particularly on this side of the Atlantic, had their origin in official quarters.

What were the American people invited by their Government to expect from London? Briefly, this: A 5-power treaty which should bind the great naval powers—Britain, France, Japan, Italy, and the United States—to a program covering the next few years, a program of naval construction which should be distinguished by these things: Reduction, limitation, and parity as between the United States and Great Britain along with the preservation of the Washington ratios as between Britain, the United States, and Japan.

TOLD OF PERIL TO PEACE

All people, beginning with the American, were told that the size of existing armament and the dimensions of pending naval construction programs constituted a peril to world peace, produced a condition of competitions as between various powers, and amounted to an intolerable burden for the peoples of all the countries concerned. These peoples, therefore, were led to believe that navies would be cut down, further expansion limited, and the burdens of taxation greatly lightened.

Now, what emerged from London? A three-power pact, with certain five-power trimmings, which, while in all cases calling for little or no actual expansion in tonnage, insures enormous increases in those branches of naval craft regarded as important for contemporary combat—that is, enormous increases over the existing strength.

As to limitation, since only three of the five powers present at the conference joined in the full treaty, the other two are free to build as they choose, while the signatory powers are bound, as a result of the future decisions of the free powers, to increase still further their naval tonnage and combat strength.

QUESTION OF PARITY

Finally, as to parity and ratio as between the United States on the one hand and Japan and Britain on the other, the judgment of our naval authorities is that we have not gained parity with Britain, while the language of the treaty shows we have consented to a relatively sweeping modification of the Washington ratio to the advantage of Japan.

Taking these things up in detail, what of the question of reduction? At the beginning of the current year the British naval authorities estimated the tonnage of the American fleet as 1,095,000 tons. The American naval estimate was 1,125,000, and the difference is explained by the inclusion in the latter figures of three 10,000-ton cruisers the

building of which was suspended by President Hoover pending conference decisions.

In the postconference fleet the United States will have 1,125,000 tons, or almost exactly the same total. But during the next years it will, if it carries out the provisions of the treaty, spend hundreds of millions of dollars in a construction and replacement program which will include the building of 125,000 tons of new cruisers and 45,000 tons of fresh destroyers. This enormous increase will be balanced by a small submarine reduction, a vast restriction in destroyer tonnage, which is big because of World War circumstances, and the scrapping without replacement of three obsolescent capital ships.

RESULTS ARE ANALYZED

Two things are to be said at once of this program. It is not a result of the London conference, but of the American demand for parity with Great Britain. Just as clearly, it is not the realization of the prospectus of reduction which was boldly sketched at the moment when the conference assembled.

In indorsing the results of the London conference the President recently affirmed that vast financial savings and tonnage reductions had been achieved if one compared the results of London with the proposals made at the abortive conference of Geneva in 1927. But the savings were really due to the fact that President Coolidge at that time bade his delegates reject the Geneva proposals and later signed the bills passed by Congress insuring the expansion of the American fleet, notably the 15-cruiser bill.

The British at Geneva had believed the United States would not pay the price and had put the tonnage incredibly high. But when Congress and the President accepted the challenge and undertook the 15-cruiser bill there was a swift change in British temper. This change was revealed at the Rapidan, when MacDonald, long in advance of the London conference, proposed the figures which were later adopted there.

As a result of the naval treaty, Britain will almost completely, Japan measurably, stand still, while the United States undertakes a very far-reaching program of new construction and replacement that will, without changing the gross tonnage of the American fleet, make it three or four times more effective as a fighting machine than before. But no other consequence was to be looked for in any conference where parity was the main desideratum. All the confusion in the American mind has arisen from the mistaken assertions in official quarters that parity and reduction were both to be had at London.

In the matter of limitation—the second objective—it is the fact that Britain, the United States, and Japan have set limits to their tonnage for the next six years. But this limitation is only conditional. Great Britain has in the notorious "escalator" or "slippery" clause reserved the right to continue expansion if France continues to carry out her naval law of 1924. And America and Japan are, of course, free to follow suit.

Manifestly, then, just as there is to be no reduction of the various fleets below the existing strength, there is to be no assurance of limitation for the treaty period. Within less than two years, if France holds to her present mind, Britain will have to ask the United States to recognize the necessity to go beyond the Rapidan figures, and to maintain parity America also will have to embark on further construction.

GAINS SEEN FOR JAPAN

There remains the question of parity and ratio. As to Japan, the case is clear. At Washington the Japanese, in return for our consent to abandon the right to fortify further our territories in the Philippines, the Aleutian Islands, and Guam, accepted a ratio of 60 per cent vis-à-vis the British and ourselves. They have at London run this ratio in all auxiliary craft up to 70 per cent, have attained parity in submarines, and for the life of the treaty will have 72 per cent of our strength in the offensive arm, which is the big 8-inch cruiser.

In respect of the British the case is less clear. But the chairmen of our naval committees in the Senate and House, HALE and BRITEN; Admiral Hilary Jones, who was our naval adviser at London, and all the members of the general board of the Navy, without known exception, agree that we have not obtained parity at London. On the contrary, they assert that we have abandoned the 8-inch gunned cruiser for the 6-inch craft for a very large fraction of our tonnage and thus in permitting the British to persuade us to use the ship their experts desire us to have, our delegates, while getting the semblance of parity in tonnage, have sacrificed the reality in actual fighting force.

SENATE STRUGGLE FORESEEN

In the face of this situation it is clear that the treaty will pass the Senate, if at all, only after a fight which may well recall in length and fierceness the struggle over the treaty of Versailles. Against it are arrayed the best of the fighters, BORAH and HIRAM JOHNSON; the head of the Senate Naval Committee, HALE; the progressives, led by young LA FOLLETTE, and many Democrats, including PAT HARRISON. It will be attacked by the progressives because it is not reduction, by the Navy champions because it is not parity, and by many others because it is not limitation but an involvement of our naval policy in European complications.

Since adjournment is at hand it will be next winter before the treaty can come up, and an election will have intervened. If the election results in a Democratic victory, the fate of the treaty seems assured, but even if the Republicans hold the House, the fight in the Senate promises to be one of the bitterest in recent years. The victory of Mrs. McCORMICK in Illinois has heartened all the opponents of the naval treaty.

In reading the proof of this article it occurs to me that I have paid too scant attention to the battleship detail. The decision to scrap 5 ships for the British, 3 for ourselves, and 1 for the Japanese, although all 3 will retain a ship for training purposes, does represent a reduction, but only in obsolescent ships, which would in any event disappear long before 1936.

As the battleship holiday, this represents a saving of the interest on the sums which would be expended during the next six years for replacement, less the added costs of maintaining old ships. This has been variously estimated, and perhaps might amount to \$50,000,000. But, as the New York Herald Tribune pointed out the other day, no claim of saving of the cost of replacement can be advanced until the conference of 1936 determines whether capital ships are to be abandoned or the existing ships replaced by a new type. What has been done is no more than deferring payment on the note. Real saving in costs of replacement would have been assured only if we had decided to abolish the type. Then the \$350,000,000 mentioned in some reports, instead of the problematical \$60,000,000, would be the measure of economy.

[From the New York Evening Post of April 21, 1930]

MR. STIMSON, THE PRESS, AND THE RADIO

The first challenge to the mishandling of the American press by Secretary Henry L. Stimson and Mr. Arthur L. Page at the London Naval Conference comes from Mr. Karl A. Bickel, president of the United Press Association. That challenge had to come. It will have deep repercussions.

Mr. Bickel, in his cable to Mr. Stimson, first stated (and states mildly, as is known to every correspondent at the conference) the policy laid down by Stimson for the treatment of what should have been considered a strong and friendly ally, the American press.

"It was understood when the conference opened," said Mr. Bickel, as his message is quoted in Editor and Publisher, "that no American delegate was to give any direct interview to the press of this country and that all quotable information must be secured through general press conferences or as issued by Arthur Page or in formal statements. At no time during the entire period of the conference, to the best of my present recollection, have you or any of your associates given the newspapers anything like a formal interview revealing to the American people any important news facts or affording them to any degree important interpretative background material except via regular press conference."

Returning correspondents will bear Mr. Bickel out in this extremely conservative statement of the stupidity with which they were handled at London. He goes on to say that, nevertheless, throughout the entire course of the conference almost every week American delegates have appeared before the radio, giving into the microphone interpretative statements such as they were forbidden to give at the press conferences. Mr. Stimson himself did it. Senator ROBINSON did it last night. Against this discrimination in favor of radio as against the newspapers Mr. Bickel protests.

We are not so much interested in any "discrimination" as we are in the fundamental wrongness of Mr. Stimson's attitude. This attitude he stated in his reply to Mr. Bickel's protest. The exact wording we do not know. As it is outlined in Editor and Publisher, it reads: "He explained that the whole theory in disseminating news of the conference by the American delegation in London has been that all the facts went to the press, which did its own interpreting. Such speeches as were made by the American delegates, he explained, were, on the other hand, their own interpretations of the news facts."

This pretty well characterizes Mr. Stimson's London practice, save in the assumption that "all the facts" went to the American press. But, passing that, his announced policy of handing out "facts" and then letting the press do its own interpreting is, we believe, one of the most unintelligent and harmful that could have been followed. President Hoover does not follow it at Washington. No other nation followed it at London.

To throw suddenly to the gathered American correspondents the statement of the American naval position, to accompany it with no interpretation, to permit no "background" questioning on it is about as "dumb" a piece of diplomacy as we can conceive. The surly distrust shown in it is something that newspapers, for their own sakes, have to accept as part of the game. But as Americans they can well resent the fact that this unintelligence forces them to go for interpretative material to the naval delegations of other nations. Refused their fair due by their own countrymen they have to go to the British, the French, the Japanese, and the Italians.

This is one stupidity chargeable to Mr. Stimson. Its effect has been to make a necessarily confused situation yield even greater confusion.

And of this the effect, in turn, has been to prevent the American people from building up a clear public opinion which Mr. Stimson and Mr. Hoover will assuredly need if they are to put through the Senate their 3-power treaty.

As for the radio side of the question, we object to it only because Mr. Stimson and his delegates chose as a publicity vehicle for their "interpretations" a medium upon which they could not be cross-questioned. In a press conference it is always possible to ask questions to bring out any points that are either doubtful or criticizable. It is, therefore, a real interpretation; it interprets or makes clear to the press what may be a bald statement. A radio discourse, however, is absolutely unchecked and may be not interpretation but propaganda. Here is the danger of denying interpretation to the press and giving it without direct responsibility over the radio.

Mr. Bickel has done good service to journalism, to statesmanship, and to Americanism by thus directly questioning the newspaper policies of Henry L. Stimson at London.

THE PHILIPPINE QUESTION

Mr. PITTMAN. Mr. President, as we have one phase of the Philippine question now before the Senate, I ask unanimous consent that there may be printed in the RECORD an article by the senior Senator from Missouri [Mr. HAWES] on the Philippine question. The article was published in the National Farm Journal.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the National Farm Journal]

THIS PHILIPPINE QUESTION

By HARRY B. HAWES, Senator from Missouri

At the present time 80 per cent of the imports of the Philippine Islands into the United States consists of farm products. Only 20 per cent of our exports to the Philippines comes from American farms.

When it is considered that only 10 per cent of the agricultural lands of the Philippines are now cultivated it may be said that the agricultural development of the islands has made only a fair beginning. Their prospective development with new capital and modern machinery is almost unlimited.

To-day, throughout the entire East and Central West, there are tens of thousands of idle farms; hundreds of thousands of acres of land which were once cultivated are now practically abandoned.

We are proposing and constructing immense dams and reservoirs for the distribution of water over western desert lands, converting them into tillable farms, and throwing all this new acreage in our own country into competition with the present farm area within our own boundaries. Unless we soon grant independence to the Philippines, it means that we add to this national American agricultural development the competition from these Asiatic islands 7,000 miles away.

To-day, the American farmer is told that his great problem is overproduction. The chairman of the Federal Farm Board has warned the wheat growers of America, over and over again, that unless they limit their production the board can not be of practical help to them.

With all this overproduction within our own borders, there are those who would add to this complex problem the products of another 114,000 square miles of territory—a territory as large as five of our important States.

THE MORE DELAY, THE HARDER

Each year we hold the Philippines in uncertain tenure we make more difficult for them and for our business men the final problem of separation.

We may even be encouraging them to a style of living, and inculcating thoughts of luxuries and conveniences which might lessen their now fixed purpose to secure independence.

We are tightening the chains that bind American commerce and American business with Philippine development.

Would it not be more honest to tell the Filipinos, and our own industries, that we propose to give them freedom; or if we decide the other way, that we propose to keep them under some form of colonial government—

Why not be honest about it?

Continuing as at present the Philippines will each year become more dependent upon us. We already observe that they have not sought foreign markets, have not attempted to build up a commerce with Asia or enter into barter and trade with the teeming millions of China and Japan. They have naturally drifted into close ties with our people, and are each year weakening their ability to assume the political responsibilities of independence, and to grapple with the problems of world trade.

Serious as is the competition of the products of the islands with those of our own farms, it is the uncertainty of the present situation that aggravates this problem and all the others.

Through the provisions of the Jones Act and its interpretation by American Governors, the Philippine people, encouraged by our national

promise, have moved forward in self-government to a point which leaves only one short step to complete independence.

Personally I believe we have no choice; we must remove the last barrier to independence or step back and destroy American traditions and forget our promises by making the Filipino people the perpetual wards of the United States.

Uncertainty is preventing further American investments in the Philippines, has the effect of discouraging all foreign investments, and until this uncertainty is dispelled by congressional action both American interests and Philippine interests will suffer.

PERMANENT POSSESSION NEVER PLANNED

The capture of Manila in 1898 by Admiral Dewey was an incident of war. The Spanish-American War was waged not against the Filipinos but against Spain, not to acquire territory but to free a people in our hemisphere from oppression.

It was both the national and international understanding at that time that we would exercise control over the Philippines, limited, or to be extended, but eventually to be followed by independence.

We, therefore, established military government for a short time, until the islands were completely pacified. Later President McKinley appointed the Taft Commission. Under this commission civil government was established.

In 1902 the first organic act was passed by the Congress. This act provided for the creation of a Philippine legislative assembly to be elected by the Filipino people.

In 1916 the Congress approved the Jones Act, which authorized the Filipinos to conduct their own government with as little interference from the American Government as possible. They were, in effect, given a civil administration which stopped only at the actual point of complete Philippine sovereignty. Under the Jones Act the President of the United States still retains the power to appoint the Governor General, the vice governor, the justices of the supreme court, and the auditor and deputy auditor. But all the other offices of the government were transferred for their administration to native Filipinos.

ISLAND GOVERNMENT CHIEFLY NATIVE

At the present time the chief justice and three associate justices of the supreme court are Filipinos. All the courts of first instance, with one exception, as well as justice of the peace courts, are now filled by Filipinos.

There are 30,000 teachers conducting 8,000 schools, and of the 20,000, less than 300, or less than 1 per cent, are Americans. Of all the civil-service employees of the Philippine government barely 1½ per cent are Americans.

Both branches of the legislature are now elected by the people. The legislature acts upon its own initiative, though its laws may be annulled by the American Congress.

We note the tremendous advance in Filipino control of the government. As to personnel, only a few Americans now remain in the official life of the islands.

The present population is estimated at approximately 13,000,000, of which less than 500,000 are what are known as Moros, or Mohammedans—about 4 per cent of the population.

A small number of about 30,000 hill men are called Igorrotes. These are practically wards of the state, treated in somewhat the same manner as are the American Indians.

The rest of the population—more than 90 per cent—are Christian Filipinos.

WE CAN NOT REMAKE A RACE

The people are orientals, of Malay stock. We will never be able to change their thoughts, their characteristics, their minds, or their national aspirations, any more than we can change the color of their hair, the texture of their skin, or their physical characteristics.

Over 300 years of Spanish rule did not bring about racial changes, and yet certain theorists would have us believe that 15 years or 30 years might bring such change. We can not expect them, now or in the future, to conform their thoughts and emotions to our own, or their mental processes to operate as do ours.

This is not a criticism; it is human nature. It is a fact that exists throughout the world, even in the older European nations—physical characteristics, mental processes, and human attributes differ. Yet our 30-year theorists, in some vague way, oppose independence within a reasonable period.

Personally I believe that these theorists, especially when they have trade in mind, seem to be willing to gamble with the future, but have not the courage to accept the present and pressing responsibility that now rests upon them—they would transfer their own responsibility to their grandchildren.

The American lawyer or student who attempts to define the present status of a Filipino will find difficulties.

He is neither a citizen of the United States at present nor is he a free citizen of his own country. He has no sovereignty of his own; he has a large degree of freedom; and yet there is the final check, the final sovereignty, the final dictation deposited with another race, another people.

The uncertainty as to his status is equaled only by the uncertainty regarding the status of the products he sends to the United States. While they come in free of duty, we can not classify them as domestic products. They are not subject, and should not be subject, to our tariff until there has been a definite determination as to independence.

Uncertain as to their nationality, uncertain as to their political future, uncertain as to tariff regulations, there is present confusion which thwarts new enterprise, and which will bring ultimate economic stagnation. This uncertainty creates an insuperable hazard. New capital will not invest in the Philippines so long as this uncertainty remains.

Very few Americans will openly advocate permanent possession of the Philippine Islands. Those who are opposing independence now say we should wait 20 years or 30 years. As a matter of fact, men who ask that a generation shall elapse before the Filipinos shall control their own government are not deceiving either the Filipinos or Americans.

EVENTUALLY, WHY NOT SOON?

The man who advocates 30 years' control advocates permanent control, and I am surprised that there are so few that seem to have the courage to honestly and openly advocate permanent retention.

From the evidence before congressional committees there is a united demand by all classes of the Filipino population for independence. We found Tories in our own country in the days of trial during our struggle for freedom. There may be found some Filipino Tories, but they are few and usually belong to the semiofficial or dependent class that has some immediate contact with foreign financial influence.

The total exports of the Philippine Islands to the United States amount to more than \$115,000,000 annually, and our exports are something over \$83,000,000. Last year we imported from the Philippines coconut oil amounting to \$23,000,000; copra, almost \$18,000,000; sugar, \$45,000,000; and tobacco, \$5,000,000. While the American farmer may consider this much competition bad enough, he should bear in mind also that these vast imports are coming to our country free of duty from a nation whose agricultural development is only just beginning.

LABOR IS INTERESTED, TOO

The American laborer is aware that in these islands agricultural labor is paid 30 cents a day; lumbermen, 30 cents a day; miners, 87 cents a day; bricklayers and masons, 60 cents a day; and common or unclassified labor, 20 cents a day. Labor finds that there are now 68,000 Filipinos in the United States, and that they are coming each year in increasing numbers, all without a fixed political status. While we may restrict our immigration from all the countries of the world, there can be no restriction upon Filipinos coming to our country until their political status is determined by Congress.

The temptation to relate some of the struggles for liberty of our own people in 1776 is alluring, but we need not, in talking to the American farmer, occupy much time in telling anew the stories of other people and of our own efforts in demanding and securing self-determination. Whatever we may think of the Filipinos out there 7,000 miles across the Pacific, close to the shores of Asia, every tradition which we have nationally, will lead us to the inevitable conclusion that these 13,000,000 people, separated from us by race, history, traditions, and geography, have a perfect right to demand the freedom which we have promised them, and which is in keeping with the noblest traditions of our Nation.

We should at least dispel the uncertainty which now exists. It is bad for the Philippines, and bad for American public policy; it is bad for our international policy; it is bad and harmful from every standpoint.

It goes without saying that under such circumstances some one must make a move toward affirmative action. I have had something of the sort in mind, and a few weeks ago I drew up, in collaboration with Senator BRONSON M. CUTTING, of New Mexico, a plan for disposing of the whole Philippine question. This was introduced in the form of a bill early in March.

It is not possible to explain here the provisions of this proposed measure. But I may say that its aim is to give due consideration to the rights and hopes of every party involved in any way, with independence for the islands as the goal, at the end of a reasonably short period.

We should either grant them independence on some such terms as provided in the Hawes-Cutting bill, or we should tell the world, and tell them, that we do not propose to give them independence. We should at least be honest about it.

EXECUTIVE SESSION

Mr. McNARY. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business in open session.

EXECUTIVE MESSAGES REFERRED

The VICE PRESIDENT laid before the Senate sundry messages from the President of the United States making nominations, which were referred to the appropriate committees.

TREATY—RIGHTS OF AMERICANS IN IRAQ

The VICE PRESIDENT. Reports of committees are in order. If there are no reports of committees, the calendar is in order. The Secretary will state the first business on the calendar.

The Chief Clerk announced the first business on the calendar is Treaty Executive E (71st Cong., 2d sess.), convention and protocol with Great Britain defining the rights of the United States and its nationals in Iraq, signed in London on January 9, 1930.

The Senate, as in Committee of the Whole, proceeded to consider the treaty, which is as follows:

CONVENTION AND PROTOCOL WITH GREAT BRITAIN DEFINING THE RIGHTS OF THE UNITED STATES AND ITS NATIONALS IN IRAQ

To the Senate of the United States:

To the end that I may receive the advice and consent of the Senate to ratification, I transmit herewith a convention between the United States of America, of the one part, and His Britannic Majesty and His Majesty the King of Iraq, of the other part, signed in London on January 9, 1930, defining the rights of the United States and of its nationals in Iraq, together with a protocol signed at the same time, which also calls for ratification as an integral part of the convention.

It will be observed from the inclosed report of the Acting Secretary of State that the provisions of the convention follow closely the provisions of similar conventions concluded by this Government with France on April 4, 1924, and with Great Britain on December 3, 1924, whereunder the rights of the United States and of its nationals were defined in Syria and Palestine, respectively.

Accompanying the convention and the protocol are copies of notes exchanged by the Iraq plenipotentiary and the American ambassador at London, and by the British Secretary of State for Foreign Affairs and the American ambassador, which are furnished for the information of the Senate.

THE WHITE HOUSE, February 4, 1930.

HERBERT HOOVER.

The PRESIDENT:

The undersigned, the Acting Secretary of State, has the honor to lay before the President, with a view to their transmission to the Senate to receive the advice and consent of that body to ratification, if his judgment approve thereof, a convention signed at London on January 9, 1930, in behalf of the United States of America, of the one part, and of His Britannic Majesty and His Majesty the King of Iraq, of the other part, and a protocol signed on the same day, which is made an integral part of the convention and requires ratification at the same time as the convention.

The purpose of the convention and the protocol is to define the rights of the United States and of its nationals in Iraq, and the provisions thereof follow closely the provisions of similar conventions concluded by this Government with France on April 4, 1924, and with Great Britain on December 3, 1924, whereunder the rights of the United States and its nationals were defined in Syria and Palestine, respectively.

There are also inclosed for the information of the Senate copies of notes exchanged on January 9, 1930, by the Iraq plenipotentiary and the American ambassador at London and by His Majesty's principal Secretary of State for Foreign Affairs and the American ambassador at London.

Respectfully submitted.

J. P. COTTON,

Acting Secretary of State.

DEPARTMENT OF STATE,

Washington, February 3, 1930.

(i) Whereas in virtue of the Treaty of Peace concluded with the Allied Powers and signed at Lausanne on the 24th day of July, 1923, and in virtue of the Treaty concluded with His Britannic Majesty and His Majesty the King of Iraq, signed at Angora on the 5th day of June, 1926, Turkey has renounced all rights and titles over the territory of Iraq; and

(ii) Whereas by their decision of the 27th day of September, 1924, which is set forth in the first schedule hereto, the Council of the League of Nations agreed that, in so far as concerns Iraq, effect had been given to the provisions of article 22 of the Covenant of the League of Nations in the Treaty of Versailles by the communication received by them from His Britannic Majesty's Government on that date; and

(iii) Whereas the Treaty of Alliance referred to in the aforesaid decision of the Council of the League of Nations, and set forth in the second schedule hereto, entered into force on the 19th day of December, 1924; and

(iv) Whereas, with the object of extending the duration of the aforesaid Treaty of Alliance, a new Treaty between His

Britannic Majesty and His Majesty the King of Iraq was signed at Baghdad on the 13th day of January, 1926, as set forth in the third schedule hereto, and hereinafter referred to as the Treaty of 1926; and

(v) Whereas on the 2nd day of March, 1926, a letter in the terms set forth in the fourth schedule hereto was addressed by His Britannic Majesty's Government to the League of Nations; and

(vi) Whereas on the 11th day of March, 1926, the Council of the League of Nations recorded a resolution taking note of the Treaty of 1926; and

(vii) Whereas the Treaty of 1926 entered into force on the 30th day of March, 1926; and

(viii) Whereas the United States of America, by participating in the war against Germany, contributed to her defeat and the defeat of her Allies, and to the renunciation of the rights and titles of her Allies in the territory transferred by them, but has not ratified the Covenant of the League of Nations embodied in the Treaty of Versailles; and

(ix) Whereas the United States of America recognises Iraq as an independent State; and

(x) Whereas the President of the United States and His Britannic Majesty and His Majesty the King of Iraq desire to reach a definite understanding with respect to the rights of the United States and of its nationals in Iraq;

(xi) The President of the United States of America of the one part and His Britannic Majesty and His Majesty the King of Iraq of the other part have decided to conclude a Convention to this effect, and have named as their plenipotentiaries:

The President of the United States of America;

His Excellency General Charles G. Dawes, Ambassador Extraordinary and Plenipotentiary of the United States at London;

His Majesty the King of Great Britain, Ireland, and the British Dominions beyond the Seas, Emperor of India; for Great Britain and Northern Ireland;

The Right Honourable Arthur Henderson, M.P., His Majesty's Principal Secretary of State for Foreign Affairs;

His Majesty the King of Iraq;

Ja'far Pasha El Askeri, C.M.G., His Majesty's Envoy Extraordinary and Minister Plenipotentiary at London;

who, after having communicated to each other their respective full powers, found in good and due form, have agreed as follows:—

ARTICLE 1

Subject to the provisions of the present Convention, the United States consents to the régime established in virtue of the decisions of the Council of the League of Nations of the 27th day of September, 1924, and of the 11th day of March, 1926, the Treaty of Alliance (as defined in the said decision of the 27th day of September, 1924), and the Treaty of 1926, and recognises the special relations existing between His Britannic Majesty and His Majesty the King of Iraq as defined in those instruments.

ARTICLE 2

The United States and its nationals shall have and enjoy all the rights and benefits secured under the terms of the aforesaid decisions and treaties to members of the League of Nations and their nationals, notwithstanding the fact that the United States is not a member of the League of Nations.

ARTICLE 3

Vested American property rights in Iraq shall be respected and in no way impaired.

ARTICLE 4

Subject to the provisions of any local laws for the maintenance of public order and public morals, and to any general educational requirements prescribed by law in Iraq, the nationals of the United States will be permitted freely to establish and maintain educational, philanthropic and religious institutions in Iraq, to receive voluntary applicants and to teach in the English language.

ARTICLE 5

Negotiations shall be entered into as soon as possible for the purpose of concluding an Extradition Treaty between the United States and Iraq in accordance with the usages prevailing among friendly States.

ARTICLE 6

No modification of the special relations existing between His Britannic Majesty and His Majesty the King of Iraq, as defined in article 1 (other than the termination of such special relations as contemplated in article 7 of the present Convention) shall make any change in the rights of the United States as

defined in this Convention, unless such change has been assented to by the Government of the United States.

ARTICLE 7

The present Convention shall be ratified in accordance with the respective constitutional methods of the High Contracting Parties. The ratifications shall be exchanged in London as soon as practicable. The present Convention shall take effect on the date of the exchange of ratifications, and shall cease to have effect on the termination of the special relations existing between His Britannic Majesty and His Majesty the King of Iraq in accordance with the Treaty of Alliance and the Treaty of 1926.

On the termination of the said special relations, negotiations shall be entered into between the United States and Iraq for the conclusion of a treaty in regard to their future relations and the rights of the nationals of each country in the territories of the other. Pending the conclusion of such an agreement, the nationals, vessels, goods and aircraft of the United States and all goods in transit across Iraq, originating in or destined for the United States, shall receive in Iraq the most-favoured-nation treatment; provided that the benefit of this provision cannot be claimed in respect of any matter in regard to which the nationals, vessels, goods and aircraft of Iraq, and all goods in transit across the United States, originating in or destined for Iraq, do not receive in the United States the most-favoured-nation treatment, it being understood that Iraq shall not be entitled to claim the treatment which is accorded by the United States to the commerce of Cuba under the provisions of the Commercial Convention concluded by the United States and Cuba on the 11th day of December, 1902, or any other commercial convention which may hereafter be concluded by the United States with Cuba or to the commerce of the United States with any of its dependencies and the Panama Canal Zone under existing or future laws, and that the United States shall not be entitled to claim any special treatment which may be accorded by Iraq to the nationals or commerce of neighbouring States exclusively.

In witness whereof, the undersigned have signed the present Convention, and have thereunto affixed their seals.

Done in triplicate in English and Arabic, of which, in case of divergence, the English text shall prevail, at London, this 9th day of January, 1930.

(L. S.)	CHARLES G. DAWES.
(L. S.)	ARTHUR HENDERSON.
(L. S.)	JA'FAR EL ASKERI.

SCHEDULE I

DECISION OF THE COUNCIL OF THE LEAGUE OF NATIONS DATED THE 27TH DAY OF SEPTEMBER, 1924, RELATING TO THE APPLICATION TO IRAQ OF THE PRINCIPLES OF ARTICLE 22 OF THE COVENANT

The Council of the League of Nations,

Having regard to article 16 of the Treaty of Peace signed at Lausanne on the 24th July, 1923;

Having regard to article 22 of the Covenant of the League of Nations;

In view of the communication which has been made by the Government of His Britannic Majesty to the Council of the League of Nations on the 27th September, 1924, in the following terms:

"Whereas the territory of Iraq, which formerly constituted a part of the Turkish Empire passed into the occupation of the military forces of His Britannic Majesty in the course of the recent war, and

"Whereas it was intended by the Principal Allied Powers that the territory of Iraq should until such time as it might be able to stand alone be entrusted to a mandatory charged with the duty of rendering administrative advice and assistance to the population in accordance with the provisions of article 22 (paragraph 4) of the Covenant, and that this Mandate should be conferred on His Britannic Majesty; and

"Whereas His Britannic Majesty agreed to accept the Mandate for Iraq; and

"Whereas His Britannic Majesty has, in view of the rapid progress of Iraq, recognised an independent Government therein and has concluded with the King of Iraq a treaty with Protocol and subsidiary agreements, as set forth in the Schedule hereto, and hereinafter referred to as the Treaty of Alliance; and

"Whereas the purpose of the said Treaty of Alliance is to ensure the complete observance and execution in Iraq of the principles which the acceptance of the Mandate was intended to secure;

"The Government of His Britannic Majesty is willing to agree as follows:

"1

"So long as the Treaty of Alliance is in force, His Majesty's Government will assume, towards all Members of the League of Nations who accept the provisions of this arrangement and

the benefits of the said Treaty, responsibility for the fulfillment by Iraq of the provisions of the said Treaty of Alliance.

"II

"During the currency of the Treaty of Alliance, the Government of His Britannic Majesty, in consultation with His Majesty the King of Iraq, will take such steps as may be necessary for the conclusion of special extradition agreements on behalf of Iraq. Copies of all such agreements shall be communicated to the Council of the League.

"III

"An annual report, to the satisfaction of the Council of the League, will be made to the Council as to the measures taken in Iraq during the year to carry out the provisions of the Treaty of Alliance. Copies of all laws and regulations promulgated in Iraq during the year will be attached to the said report.

"IV

"No modifications of the terms of the Treaty of Alliance will be agreed to by His Britannic Majesty's Government without the consent of the Council of the League.

"V

"If any dispute should arise between the Government of His Britannic Majesty and that of another Member of the League as to whether the provisions of the Treaty of Alliance or of the present decision are being fulfilled in Iraq, or as to their interpretation or application, such dispute, if it cannot be settled by negotiation, shall be submitted to the Permanent Court of International Justice provided for by article 14 of the Covenant of the League.

"VI

"In the event of Iraq being admitted to the League of Nations, the obligations hereby assumed by His Britannic Majesty's Government shall terminate.

"VII

"On the conclusion of the period for which the Treaty of Alliance has been concluded, the Council of the League of Nations shall, if Iraq has not been admitted to the League, be invited to decide what further measures are required to give effect to article 22 of the Covenant."

Accepts the undertakings of the Government of His Britannic Majesty; and

Approves the terms of the above communication as giving effect to the provisions of article 22 of the Covenant; and

Decides that the privileges and immunities, including the benefits of consular jurisdiction and protection formerly enjoyed by capitulation or usage in the Ottoman Empire, will not be required for the protection of foreigners in Iraq so long as the Treaty of Alliance is in force.

The present instrument shall be deposited in original in the archives of the League of Nations, and certified copies shall be forwarded by the Secretary-General of the League of Nations to all Members of the League.

Done at Geneva, on the twenty-seventh day of September, one thousand, nine hundred and twenty-four.

SCHEDULE II

TREATY OF ALLIANCE BETWEEN GREAT BRITAIN AND IRAQ OF THE 10TH DAY OF OCTOBER, 1922; PROTOCOL OF THE 30TH DAY OF APRIL, 1923; AND SUBSIDIARY AGREEMENTS (BRITISH OFFICIALS, MILITARY, JUDICIAL AND FINANCIAL) OF THE 25TH DAY OF MARCH, 1924

No. 1

Treaty between His Britannic Majesty and His Majesty the King of Iraq

His Britannic Majesty of the one part, and His Majesty the King of Iraq of the other part;

Whereas His Britannic Majesty has recognised Feisal Ibn Hussein as constitutional King of Iraq; and

Whereas His Majesty the King of Iraq considers that it is to the interests of Iraq and will conduce to its rapid advancement that he should conclude a treaty with His Britannic Majesty on the basis of alliance; and

Whereas His Britannic Majesty is satisfied that the relations between himself and His Majesty the King of Iraq can now be better defined by such a treaty of alliance than by any other means:

For this purpose the High Contracting Parties have appointed as their plenipotentiaries:

His Majesty the King of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas, Emperor of India:

Sir Percy Zachariah Cox, G.C.M.G., G.C.I.E., K.C.S.I., High Commissioner and Consul-General of His Britannic Majesty in Iraq;

His Majesty the King of Iraq:

His Highness Sir Saiyid Abd-ur-Rahman, G.B.E., Prime Minister and Naqib-al-Ashraf, Bagdad;

Who, having communicated their full powers, found in good and due order, have agreed as follows:

ARTICLE 1

At the request of His Majesty the King of Iraq, His Britannic Majesty undertakes, subject to the provisions of this treaty, to provide the State of Iraq with such advice and assistance as may be required during the period of the present treaty, without prejudice to her national sovereignty. His Britannic Majesty shall be represented in Iraq by a High Commissioner and Consul-General assisted by the necessary staff.

ARTICLE 2

His Majesty the King of Iraq undertakes that for the period of the present treaty no gazetted official of other than Iraq nationality shall be appointed in Iraq without the concurrence of His Britannic Majesty. A separate agreement shall regulate the numbers and conditions of employment of British officials so appointed in the Iraq Government.

ARTICLE 3

His Majesty the King of Iraq agrees to frame an Organic Law for presentation to the Constituent Assembly of Iraq, and to give effect to the said law, which shall contain nothing contrary to the provisions of the present treaty and shall take account of the rights, wishes and interests of all populations inhabiting Iraq. This Organic Law shall ensure to all complete freedom of conscience and the free exercise of all forms of worship, subject only to the maintenance of public order and morals. It shall provide that no discrimination of any kind shall be made between the inhabitants of Iraq on the ground of race, religion or language, and shall secure that the right of each community to maintain its own schools for the education of its own members in its own language, while conforming to such educational requirements of a general nature as the Government of Iraq may impose, shall not be denied or impaired. It shall prescribe the constitutional procedure, whether legislative or executive, by which decisions will be taken on all matters of importance, including those involving questions of fiscal, financial and military policy.

ARTICLE 4

Without prejudice to the provisions of articles 17 and 18 of this treaty, His Majesty the King of Iraq agrees to be guided by the advice of His Britannic Majesty tendered through the High Commissioner on all important matters affecting the international and financial obligations and interests of His Britannic Majesty for the whole period of this treaty. His Majesty the King of Iraq will fully consult the High Commissioner on what is conducive to a sound financial and fiscal policy, and will ensure the stability and good organisation of the finances of the Iraq Government so long as that Government is under financial obligations to the Government of His Britannic Majesty.

ARTICLE 5

His Majesty the King of Iraq shall have the right of representation in London and in such other capitals and places as may be agreed upon by the High Contracting Parties. Where His Majesty the King of Iraq is not represented, he agrees to entrust the protection of Iraq nationals to His Britannic Majesty. His Majesty the King of Iraq shall himself issue exequaturs to representatives of foreign Powers in Iraq after His Britannic Majesty has agreed to their appointment.

ARTICLE 6

His Britannic Majesty undertakes to use his good offices to secure the admission of Iraq to membership of the League of Nations as soon as possible.

ARTICLE 7

His Britannic Majesty undertakes to provide such support and assistance to the armed forces of His Majesty the King of Iraq as may from time to time be agreed by the High Contracting Parties. A separate agreement regulating the extent and conditions of such support and assistance shall be concluded between the High Contracting Parties and communicated to the Council of the League of Nations.

ARTICLE 8

No territory in Iraq shall be ceded or leased or in any way placed under the control of any foreign Power; this shall not prevent His Majesty the King of Iraq from making such arrangements as may be necessary for the accommodation of foreign representatives and for the fulfillment of the provisions of the preceding article.

ARTICLE 9

His Majesty the King of Iraq undertakes that he will accept and give effect to such reasonable provisions as His Britannic Majesty may consider necessary in judicial matters to safeguard the interests of foreigners in consequence of the non-application of the immunities and privileges enjoyed by them

under capitulation or usage. These provisions shall be embodied in a separate agreement, which shall be communicated to the Council of the League of Nations.

ARTICLE 10

The High Contracting Parties agree to conclude separate agreements to secure the execution of any treaties, agreements or undertakings which His Britannic Majesty is under obligation to see carried out in respect of Iraq. His Majesty the King of Iraq undertakes to bring in any legislation necessary to ensure the execution of these agreements. Such agreements shall be communicated to the Council of the League of Nations.

ARTICLE 11

There shall be no discrimination in Iraq against the nationals of any State, member of the League of Nations, or of any State to which His Britannic Majesty has agreed by treaty that the same rights should be ensured as it would enjoy if it were a member of the said League (including companies incorporated under the laws of such State), as compared with British nationals or those of an foreign State in matters concerning taxation, commerce or navigation, the exercise of industries or professions, or in the treatment of merchant vessels or civil aircraft. Nor shall there be any discrimination in Iraq against goods originating in or destined for any of the said States. There shall be freedom of transit under equitable conditions across Iraq territory.

ARTICLE 12

No measure shall be taken in Iraq to obstruct or interfere with missionary enterprise or to discriminate against any missionary on the ground of his religious belief or nationality, provided that such enterprise is not prejudicial to public order and good government.

ARTICLE 13

His Majesty the King of Iraq undertakes to co-operate, in so far as social, religious and other conditions may permit, in the execution of any common policy adopted by the League of Nations for preventing and combating disease, including diseases of plants and animals.

ARTICLE 14

His Majesty the King of Iraq undertakes to secure the enactment, within twelve months of the coming into force of this treaty, and to ensure the execution of a Law of Antiquities based on the rules annexed to article 421 of the Treaty of Peace signed at Sèvres on the 10th August, 1920. This law shall replace the former Ottoman Law of Antiquities, and shall ensure equality of treatment in the matter of archaeological research to the nationals of all States members of the League of Nations, and of any State to which His Britannic Majesty has agreed by treaty that the same rights should be ensured as it would enjoy if it were a member of the said League.

ARTICLE 15

A separate agreement shall regulate the financial relations between the High Contracting Parties. It shall provide, on the one hand, for the transfer by His Britannic Majesty's Government to the Government of Iraq of such works of public utility as may be agreed upon, and for the rendering by His Britannic Majesty's Government of such financial assistance as may from time to time be considered necessary for Iraq, and, on the other hand, for the progressive liquidation by the Government of Iraq of all liabilities thus incurred. Such agreement shall be communicated to the Council of the League of Nations.

ARTICLE 16

So far as is consistent with his international obligations, His Britannic Majesty undertakes to place no obstacle in the way of the association of the State of Iraq for customs or other purposes with such neighbouring Arab States as may desire it.

ARTICLE 17

Any difference that may arise between the High Contracting Parties as to the interpretation of the provisions of this treaty, shall be referred to the Permanent Court of International Justice provided for by article 14 of the Covenant of the League of Nations. In such case, should there be any discrepancy between the English and Arabic texts of this treaty, the English shall be taken as the authoritative version.

ARTICLE 18

This treaty shall come into force as soon as it has been ratified by the High Contracting Parties after its acceptance by the Constituent Assembly, and shall remain in force for twenty years, at the end of which period the situation shall be examined, and if the High Contracting Parties are of opinion that the treaty is no longer required it shall be terminated. Termination shall be subject to confirmation by the League of Nations unless before that date article 6 of this treaty has come into effect,

in which case notice of termination shall be communicated to the Council of the League of Nations. Nothing shall prevent the High Contracting Parties from reviewing from time to time the provisions of this treaty, and those of the separate agreements arising out of articles 7, 10 and 15, with a view to any revision which may seem desirable in the circumstances then existing, and any modification which may be agreed upon by the High Contracting Parties shall be communicated to the Council of the League of Nations.

The ratifications shall be exchanged at Bagdad.

The present treaty has been drawn up in English and Arabic. One copy in each language will remain deposited in the archives of the Iraq Government, and one copy in each language in those of the Government of His Britannic Majesty.

In witness of which the respective plenipotentiaries have signed the present treaty and have affixed thereto their seals. Done at Bagdad in duplicate this tenth day of October, one thousand nine hundred and twenty-two of the Christian Era, corresponding with the nineteenth day of Sa'far, one thousand three hundred and forty-one, Hijrah.

P. Z. Cox,

His Britannic Majesty's High Commissioner in Iraq.

'ABD-UR-RAHMAN,

Naqib-al-Ashraf of Bagdad and Prime Minister of the Iraq Government.

No. 2

Protocol to the Treaty of Alliance between Great Britain and Iraq of October 10, 1922

We, the undersigned plenipotentiaries of His Britannic Majesty and of His Majesty the King of Iraq respectively, having been duly authorised, met together this 30th day of April, 1923, corresponding to the 14th Ramazan, 1341, in order to sign the following protocol to the Treaty of Alliance concluded between their Majesties aforesaid on the 10th October, 1922, corresponding to 19th Sa'far, 1341, Hijrah, subject to ratification.

PROTOCOL

It is understood between the High Contracting Parties that, notwithstanding the provisions of article 18, the present treaty shall terminate upon Iraq becoming a member of the League of Nations, and in any case not later than four years from the ratification of peace with Turkey. Nothing in this protocol shall prevent a fresh agreement from being concluded with a view to regulate the subsequent relations between the High Contracting Parties; and negotiations for that object shall be entered into between them before the expiration of the above period.

In witness of which the respective plenipotentiaries have affixed their signatures thereto. Done at Bagdad in duplicate this 30th day of April, 1923, of the Christian era, corresponding with the 14th day of Ramazan, 1341, Hijrah.

P. Z. Cox,

His Britannic Majesty's High Commissioner in Iraq.

ABDUL MUHSIN-AL-SA'ADUN,

Prime Minister of the Iraq Government.

No. 3

British Officials Agreement made under Article 2 of the Treaty of Alliance between Great Britain and Iraq of October 10, 1922

We, the undersigned plenipotentiaries of His Britannic Majesty and of His Majesty the King of Iraq respectively, having been duly authorised, met together this 25th day of March, 1924, corresponding to the 19th day of Sha'ban, 1342, in order to sign the following agreement subsidiary to article 2 of the Treaty of Alliance concluded between their Majesties aforesaid on the 10th day of October, 1922, corresponding to the 19th day of Sa'far, 1341, Hijrah, subject to ratification.

THE AGREEMENT

Whereas a treaty of alliance between His Britannic Majesty and His Majesty the King of Iraq was signed at Bagdad on the 10th day of October, 1922, corresponding with the 19th day of Sa'far, 1341, Hijrah, and a protocol to the said treaty was signed at Bagdad on the 30th day of April, 1923, corresponding with the 14th day of Ramazan, 1341, Hijrah; and

Whereas by article 2 of the said treaty His Majesty the King of Iraq undertakes that for the period of the same treaty no gazetted official of other than Iraq nationality shall be appointed in Iraq without the concurrence of His Britannic Majesty; and

Whereas by the same article it is provided that a separate agreement regulating the numbers and conditions of employment of British officials so appointed in the Iraq Government shall be concluded between the High Contracting Parties:

Now therefore it is agreed as follows:

ARTICLE 1

The Iraq Government agrees to appoint a British official approved by the High Commissioner as and when it may be requested to do so to any of the posts enumerated in schedule 1 hereto annexed.

ARTICLE 2

The Iraq Government agrees that any British official appointed to serve the Iraq Government in any of the posts reserved under article 1 of this agreement, or in any of the posts enumerated in schedule 2, shall be given a contract on the pay and grading prescribed for it in the said schedule and embodying the terms and conditions of service set forth in schedule 3, save and except that British officers seconded or appointed to serve under the Ministry of Defence of the Iraq Government shall be given contracts on the pay and grading prescribed in schedule 4, and embodying the terms and conditions of service prescribed in schedule 4.

ARTICLE 3

Subject to the provisions of article 2 of the Treaty of Alliance, nothing in this agreement shall prevent the Iraq Government from engaging British technical or scientific experts or British clerical and subordinate staff on special contracts.

ARTICLE 4

The Iraq Government undertakes that the obligations accepted by them under any contract of employment signed and issued in accordance with this agreement prior to the termination of the Treaty of Alliance, including the payment of contributions to the provident fund as prescribed in schedule 3 of this agreement, shall continue in force during the continuance of such contract and on its termination, notwithstanding the prior termination of the said Treaty of Alliance.

ARTICLE 5

For the purpose of contracts of employment entered into before the termination of the Treaty of Alliance, but continuing in force after such termination as provided in article 4 of this agreement, a revision of such clauses in schedules 3 and 4 of this agreement as contain a reference to His Britannic Majesty's High Commissioner or to the Disciplinary Board constituted under clause 17 of schedule 3 shall be undertaken in connexion with the negotiations for the conclusion of a fresh agreement between the High Contracting Parties provided for in the protocol to the Treaty of Alliance.

ARTICLE 6

All British officials appointed to posts in the Iraq Government under the terms of this agreement, shall be in the service of the Iraq Government and responsible to that Government and not to the High Commissioner.

SCHEDULE 1

Advisers to the Ministries of Interior, Finance, Justice, Defence and Communications and Works.

Directors or Inspectors-General of Irrigation, Public Works, Agriculture, Tapu, Surveys and Veterinary Services.

Director or Assistant Director of Audit, Inspectors-General of Police, Posts and Telegraphs, Health, Education, Customs and Excise.

President of Court of Appeals.

SCHEDULE 2

GRADE I

Advisers to Ministries of Interior, Finance and Justice.

Pay—Rs. 2,500—100—3,500, provided that these rates may be exceeded if the Iraq Government is unable to obtain suitable officials except on a higher rate of pay.

GRADE II

(1) Adviser to the Ministry of Communications and Works.

President of the Court of Appeal.

Inspector-General of Posts and Telegraphs.

Inspector-General of Police.

Inspector-General of Health.

Inspector-General of Education.

Inspector-General of Customs and Excise.

Director of Irrigation.

Director of Public Works.

Director of Audit.

Director of Agriculture.

Assistant Adviser to the Ministry of the Interior.

Assistant Adviser to the Ministry of Finance.

Revenue Secretary to the Ministry of Finance.

Pay—Rs. 1,800—100—2,800.

NOTE.—(1) This post may be on special short-term contract ex-grade, or may be combined with the post of Director of Irrigation or Public Works, whichever of the two is senior. If so combined or on ordinary contract, the starting pay will be Rs. 2,200.

GRADE III

Senior Administrative Inspectors.
Senior Finance Inspectors.
Senior Police Inspectors.
Deputy Inspector-General, C.I.D.

- (i) Judges, Court of First Instance.
Secretary to the Ministry of Communications and Works.

Director of Tapu.
Director of Veterinary Services.
Superintending Engineers.

- (ii) Health Specialists.
Directors of Hospitals and Institutes.
Chief Medical Officers in Mosul and Kirkuk.
Medical Officers of Health in Bagdad and Basrah.

Pay-----Rs. 1,500—75—1,800—100—2,300.

NOTE.—(i) If appointed without knowledge of Arabic and local legal experience, to start at Rs. 1,350 and be on probation for two years.

(ii) If allowed to take private practice, to start at Rs. 1,200, and, in the case of future appointments of Health Specialists, if they are allowed to take private practice, they may be placed in another Grade.

GRADE IV (a)

Collectors of Customs.
Director of Surveys.
Chief Agricultural Research Officer.
Chief Agricultural Inspector.
Executive Engineers, P. W. D.
Electrical Specialist.
Government Architect.
Executive Engineers, Irrigation.
Inspector of Posts.
Senior Executive Engineer, Telegraphs.
Inspectors of Education.
Qualified Medical Officers not in Grade III.

Pay-----Rs. 1,200—75—1,800.

GRADE IV (b)

- (i) Junior Administrative Inspectors.
Junior Finance Inspectors.
Junior Police Inspectors (1st class).
Junior Executive Engineers, Telegraphs.
Agricultural Officers.
(ii) Deputy Collectors of Customs.
Assistant Director of Public Health (Personnel and Accounts Section).

Pay-----Rs. 900—50—1,200—75—1,800.

NOTE.—(i) Increments of Rs. 75 throughout.

(ii) Not to rise beyond Rs. 1,500 in this grade unless they pass a departmental test qualifying them for post of Collector and no such post is vacant.

GRADE V

Assistant Collectors of Customs.
Assistant Irrigation Officers.
Assistant Engineers, P.W.D.
Junior Police Inspectors (2nd class).
Survey Officers.
Other Officials in Departments of Posts and Telegraphs.
Veterinary Officers.
Superintendent of Medical Stores.

Pay-----Rs. 800—50—1,300.

General Note

(i) An official already in the service of the Iraq Government, who is appointed to any post mentioned in this schedule and similar in grade to that in which he is serving at the time of such appointment, shall be placed in the grade prescribed for the post at such a point as will give him a total salary not less than the salary which he is drawing at the time of signing the new contract. In calculating such salary regard shall be had to the number of months which he has served towards the new increment due under his old contract.

(ii) Junior Administrative Inspectors shall be placed at such a point in Grade IV as shall give them the salary nearest (either above or below) to their present salary plus Rs. 200, their position as regards increments being taken into account as above.

(iii) In order to enable them to meet the extra expense which will be involved by the payment of rent, lighting and conservancy charges, married officers (other than Junior Administrative Inspectors) stationed in Bagdad, Basrah or Mosul, and drawing pay at the rate of less than Rs. 1,500 per mensem, shall be granted a personal allowance, to be absorbed in future

increments, of Rs. 150 or such portion of Rs. 150 as shall together with their salary amount to Rs. 1,500 per mensem in all.

SCHEDULE 3

REGULATIONS RELATING TO THE SERVICE OF BRITISH OFFICIALS IN IRAQ
Period of Service

1. (1) Every official whom it is desired to employ in the Iraq Government will be required to enter into an agreement to serve the Iraq Government for a definite period, to be specified in his agreement, of five, ten or fifteen years.

(2) Such period of service will commence on the date on which he embarks to take up his appointment, or in the case of an official already serving in Iraq, on a date to be fixed in his contract, and shall not be considered to be interrupted by any local, sick or ordinary leave granted in accordance with these regulations.

(3) Except in the case of officials who before the commencement of such period of service have served not less than one year in the Iraq Government and whose retention in the posts in which they are specialised has been asked for by the Iraq Government, the first year (or, in the case of officials referred to in Note (1) under Grade III in schedule 2, the first two years) of such period of service shall be probationary and the official's contract may be terminated at the end of the first or second year, as the case may be, by three months' notice in writing, and when such notice is given the High Commissioner shall be given an opportunity to give his opinion regarding the official concerned. On such termination of his contract, the official shall be entitled to any leave or leave gratuity which he has earned and a free passage to England for himself. He shall receive from the Provident Fund only the amount of such contributions as he has made thereto.

Salary

2. (i) The salary of an official, together with the increment to it, will be that provided for his office in schedule 2, provided that—

(a) In the case of officials already serving under the Iraq Government and (b) in the case of new appointments of officials with special experience or qualifications, the initial salary of an official may be fixed by his contract at a point in the grade of his office higher than the initial salary of the grade.

Half Salary During Voyage on Appointment

(ii) On being appointed an official will be entitled to half salary from the date of his embarkation to take up his new appointment to the date of his arrival in Iraq and to full salary from the date of his arrival in Iraq.

(iii) For the purpose of this and the succeeding regulations the term "salary" means the salary attached to the office held by the official and does not include a personal allowance or other payment made to the official.

The term "emoluments" means and includes all payments made to an official including salary and allowances of every kind.

Currency of Payment in Iraq

3. (1) Subject to clause 16 of these regulations, emoluments paid in Iraq will be paid in rupees.

(2) An official, on giving three months' notice, shall have the option of drawing one-third of his salary in London at the fixed conversion rate of Rs. 15 to £1, or in the event of the currency being altered at the par rate of exchange.

An official who shall have availed himself on this option may, by giving three months' notice, cancel the arrangement and draw his salary in rupees in Iraq.

Passages of Officials

4. A (1) An official will, on first appointment, be allowed a free first-class passage out to Iraq subject to his executing an agreement under which he will be found to refund the cost thereof in the event of his relinquishing the appointment within three years from the date of his arrival in Iraq in order to take up other employment in Iraq, or within one year from the date of such arrival for any other reason than bodily or mental infirmity.

(2) He will also, on the termination of his service, be allowed a free passage to England: provided that if the Government terminate his contract under clause 18 of these regulations for misconduct or insubordination, or the official himself terminates it for any reason other than bodily or mental infirmity, the allowance of this passage shall be at the discretion of the Disciplinary Board constituted under clause 17.

(3) During the currency of his agreement an official will be further allowed a free passage from Iraq to England and back, once if his contract is for five years' service, twice if it is for ten years' service, and three times if it is for fifteen years' service.

(4) The Government may provide the passage allowed under this regulation on any ship of a recognised line which carries first-class passengers between England and Iraq. If the official elects to proceed by a different route, he shall receive the actual cost of the passage chosen by him or the value of the passage chosen by Government, whichever is less.

Wives of British Officials

B (1) The wife of an official already married at the commencement of his contract shall be allowed two free first-class single passages either way between England and Iraq when the contract of the official is for five years' service, three such passages when the contract is for ten years', and four such passages when it is for fifteen years' service.

(2) When the official marries during the period of his contract, his wife shall be allowed two free single passages either way for the next five years remaining to be served by the official under his contract at the time of the marriage, and one free single passage either way for every subsequent five years remaining to be served. A period of less than five years shall not be taken into consideration in deciding to what free passage a wife may be entitled under these regulations.

(3) Passages allowed to wives shall be provided under the same conditions as those allowed to officials under 4 (A) of these regulations.

Quarters

5. In the case of an official occupying a house which is the property of the Government, an official who is occupying a house by himself shall pay rent at the rate of 8 per cent. of his salary, and an official who is sharing a house with another official shall pay rent at the rate of 4 per cent. of his salary provided that the payment made by the official or officials occupying the house shall in no case exceed a fair rent for the house calculated on the basis of the actual rents of privately-owned houses in the locality. Rent will be paid on the same principle by officials occupying houses which are not the property of the Government, provided that the payment made by the official or officials occupying the house shall in no case exceed the actual rent of the house. Should such payment be less than the rent of the house, then, in order to assist the official in paying the balance of the rent, the Government shall give such officials an allowance in aid as follows:

In Basrah and Bagdad:

Married officials not exceeding 12 per cent. of their salary.

Unmarried officials not exceeding 6 per cent. of their salary.

In other stations:

Married officials not exceeding 8 per cent. of their salary.

Unmarried officials not exceeding 4 per cent. of their salary.

These allowances in aid shall be subject to revision every year in accordance with the actual fluctuations of rents.

For the purposes of this clause the term "salary" shall be deemed to include personal allowance, if any.

Equipment of Quarters

6. The Government shall, if possible, equip all Government houses occupied by officials with such electric lights, fans and water as may be recommended by the Directorate of Health Services.

Local Leave

7. An official may at the discretion of the Government be allowed local leave not exceeding twenty-one days in each calendar year. Such leave shall not be cumulative, and shall not be combined with ordinary leave.

Ordinary Leave

8. (i) An official will earn ordinary leave at the rate of one days' leave for every five days of effective service. No leave other than local leave shall count as effective service.

(ii) Ordinary leave shall be cumulative.

(iii) Subject to the exigencies of the service, an official may be granted the ordinary leave due to him at any time he desires, and may claim the right to take the leave due to him if under a fifteen years' contract, three times; if under a ten years' contract, twice; and if under a five years' contract, once.

(iv) An official on the expiry of his service, or on the termination of his contract by the Government for any reason other than insubordination or misconduct, shall receive a gratuity in respect of ordinary leave which is due to him and which owing to the exigencies of the service he has been unable to take. This gratuity shall be calculated at the rate of one day's leave allowance for every day of leave due subject to maximum of nine months.

(v) When on ordinary leave an official shall be entitled to full salary.

Sick Leave

9. (i) Short periods of absence from duty owing to sickness not exceeding ten consecutive days will be allowed in Iraq on full salary. Any absence extending beyond that period will be counted as sick leave.

(ii) The aggregate amount of sick leave which an official may be allowed shall be as follows:

If he is on a five years' contract	1 year.
If he is on a ten years' contract	2 years.
If he is on a fifteen years' contract	3 years.

(iii) If these aggregate amounts are exceeded the Government shall have the option of terminating the contract without compensation.

(iv) On each occasion of taking sick leave an official shall receive full salary for a period up to six months and thereafter such leave as is due to him up to a further six months. If no leave or insufficient leave is due to him to cover the second six months he may complete the period by additional sick leave on half-pay. At the end of this period of twelve months the Government shall have the right to terminate without compensation the service of an official who is on a five years' contract, and in other cases, *i. e.*, if the official is on more than five years' contract, a medical board shall assemble, and, if it is considered that the official is unlikely to be fit to return to duty within the limits laid down in sub-clause (2) above, Government shall have the right to terminate the contract without compensation.

(v) Nothing in this clause shall in any way modify the obligations of the Iraq Government to pay an officer of the Imperial forces or Indian army on return from his employment until he is fit for duty in the Imperial or Indian establishment as the case may be, subject to the maximum period of sick leave with full pay of this substantive rank provided in the regulations of the service concerned.

Medical attendance

10. In Iraq an official will be entitled to free medical treatment, but this privilege does not extend to his family.

Compensation in case of Termination by Government

11. In the case of an official whose services are terminated by Government other than for reasons stated in clauses 1, sub-clause (3), 9, 14 and 18. Government shall pay into the Provident Fund on his behalf, and he shall receive from that fund, in addition to the sum already due to him therefrom, a sum equal to the combined contributions of Government and the official which would have fallen due in respect of the balance of his contract.

Special Compensation for Death, &c., due to Local Disturbances, &c.

12. Special compensation, which shall not be less favourable in the case of an officer of the Imperial forces or Indian Army than that to which he would be entitled under the regulations of his parent service, under rules to be laid down hereafter, will be granted in the case of death, injury, or loss of property, &c., due to war or local disturbances, or in the case of permanent disability certified by a medical board to have arisen out of the special circumstances of his employment. In the case of loss of property, no compensation will be paid unless it can be reasonably shown that it was impossible to insure such property, or that insurance could only have been effected at an exorbitant premium. In any case compensation will be paid only in respect of articles considered necessary and indispensable, and the Government will take no responsibility for the loss, theft, or destruction of valuables, such as jewellery, works of art, &c.

Provident fund

13. A Provident Fund shall be instituted to which Government and the officials shall contribute as follows:

(i) Every official shall contribute to the Provident Fund monthly by the deduction from his salary bill of one-twelfth of his pay.

(ii) The Government shall contribute monthly in respect of each official a sum equal to twice the official's contribution during the preceding month.

(iii) Sums deducted on this account from the salary bills of officials, together with the sums due from Government, shall be transmitted monthly to such person or persons as may be appointed Treasurer of the fund by His Britannic Majesty's Government, and the fund will be administered by trustees approved, and in accordance with rules laid down by His Britannic Majesty's Government.

(iv) Every official, except officials on whose behalf the Government has paid or accepted liability for pension contribution up to the date of commencement of service under the new conditions, shall contribute to the fund in respect of service between the 11th November, 1920, and the date on which these

conditions of service become applicable to him a sum equal to one-twelfth of his aggregate pay during such period.

(v) Government shall contribute a like amount to that contributed by the official in respect of pre-contract service referred to in sub-clause (iv).

(vi) In the case of officials who are lent or transferred to the Iraq Government by other Governments and who continue to qualify for the pension payable by their parent service on condition that their pension contributions continue to be paid, such pension contributions (except in so far as they are payable by the official himself under the rules of his parent service) shall continue to be paid by the Iraq Government.

The first five sub-clauses of this clause shall not apply in the case of such officials.

Languages

14. An official will be required to comply with the provisions of such regulations relating to language examinations as may be drawn up by a Disciplinary Board constituted under clause 17 of this schedule and approved by the High Commissioner. Such regulations may provide for the stoppage of promotion in the event of failure to pass an examination prescribed as compulsory, and may further provide for termination of the official's contract without compensation in the event of repeated failures.

Travelling Allowances: Acting Allowances

15. Travelling and transport allowances within Iraq and acting allowances shall be admissible in accordance with rules applicable to local officials.

Currency

16. In the event of the currency being altered, the rupee emoluments shall thereafter be payable in the new currency at the current rate of exchange except as provided in clause 3 (2) of this schedule.

Discipline

17. Officials will, for the purposes of discipline, be under the supervision of a Board composed as follows:

President:

The Prime Minister.

Members:

A representative of his Excellency the High Commissioner, three Ministers and three senior British officials nominated by His Majesty the King.

The findings of the Board shall be subject to the approval of His Majesty the King. Before such approval is given, his Excellency the High Commissioner shall be given an opportunity of expressing his opinion on such findings.

Termination for Insubordination, &c.

18. The Government has the right, subject to the approval of the Disciplinary Board as constituted under clause 17, to terminate without compensation the services of an official who has been guilty of misconduct and insubordination, and to receive back from the Provident Fund the whole or part, as may be decided by the said Board, of the amount contributed by Government to his credit in the Provident Fund.

Termination of Contract by Official

19. An official will be entitled to terminate his contract during its currency by giving six months' notice in writing to the head of his department, but should he do so it shall be put before the Disciplinary Board as constituted under clause 17 to decide in the circumstances whether he should receive his free passage home, any or all of the leave due to him, or more than half only of the amount standing to his credit in the Provident Fund at the time of his resignation.

20. In the case of any seconded officer of the Imperial forces or Indian army, if, on the termination of his contract otherwise than under clauses 18 and 19, he cannot be absorbed within the authorised establishment, the Iraq Government shall be liable for his pay and allowances at normal British rates for the period during which he is awaiting absorption.

Arbitration

21. If any question arises under the agreement entered into by an official whether as regards its interpretation or in any other respect, it shall be referred to the Disciplinary Board, whose decision, after the approval of His Majesty the King as provided in clause 17, shall be final.

SCHEDULE 4

REGULATIONS RELATING TO THE SERVICE OF BRITISH OFFICERS EMPLOYED UNDER THE MINISTRY OF DEFENCE OF THE IRAQ GOVERNMENT

Period of Service

1. (1) An officer will be required on appointment to enter into an agreement to serve the Iraq Government for a period of three years, extendable, if both parties agree and, in the case of an officer of the Imperial forces or Indian army, subject to

the approval of His Britannic Majesty's Government or the Government of India, as the case may be, to five, seven and ten years by successive renewals.

2. Such period of service will commence on the date on which he embarks to take up his appointment, or in the case of an officer already serving in Iraq on a date to be fixed in his contract, and shall not be considered to be interrupted by any local, sick, or ordinary leave granted in accordance with these regulations.

Salary

2. (1) The salary of an officer together with the increment attached to it will be that provided for his office in the table of grades annexed to this schedule.

Half Salary during Voyage on Appointment

(2) An officer proceeding to Iraq to take up an appointment under the Government of Iraq will be entitled to the full pay of his Iraq appointment from the date of arrival in Iraq and for the period from the date of embarkation to the date of his arrival in Iraq, (a) if an officer of the Imperial forces, to half-pay of his Iraq appointment or to his British regimental pay (without allowances) of his substantive rank, whichever is the greater; (b) if an officer of the Indian army, to half the pay of his Iraq appointment or to the pay of his substantive rank without staff pay if proceeding from India to Iraq, or if not so proceeding the British regimental pay of his substantive rank, whichever is the greater; (c) in all other cases to half the pay of his Iraq appointment.

Currency of Payment in Iraq

3. (1) Subject to clause 16 of these regulations, emoluments paid in Iraq will be paid in rupees.

(2) An officer, on giving three months' notice, shall have the option of drawing one-third of his salary in London at the fixed conversion rate of Rs. 15 to £1, or, in the event of the currency being altered, at the par rate of exchange.

An officer who shall have availed himself of this option may, by giving three months' notice, cancel the arrangement and draw his salary in rupees in Iraq.

Passages of Officers

4. A (1) An officer will, on first appointment, be allowed a free first-class passage out to Iraq subject to his executing an agreement under which he will be bound to refund the cost thereof in the event of his relinquishing the appointment within three years from the date of his arrival in Iraq in order to take up other employment in Iraq, or within one year from date of such arrival for any other reason except bodily or mental infirmity.

(2) He will also on the termination of his service be allowed a free first-class passage to England; provided that, if the Government terminates his service under clause 18 of these regulations for misconduct or insubordination, or if the officer terminates it for any other reason than bodily or mental infirmity, the allowance of this passage shall be at the discretion of the Government.

(3) During the currency of his agreement an officer will be further allowed a free return first-class passage from Iraq to England and back, once on a three or five years' contract and once again if the contract is extended beyond five years.

If an officer who has already taken the free return passage or passages to England granted under this sub-clause or who is not entitled to any such free return passage, is sent to England on the ground of ill-health, a similar free return passage to England and back shall be granted to him.

(4) The Government may provide the passage allowed under this regulation on any ship of a recognised line which carries first-class passengers between England and Iraq or on a British Government transport.

If the officer elects to proceed by a different route, line or class, or to a destination other than the United Kingdom, he shall receive the actual cost of the passage he takes or the value of the passage allowed under this regulation, whichever is the less.

Wives of Officers

B (1) The wife of an officer already married at the commencement of his contract shall be allowed two free first-class single passages either way between England and Iraq if the officer's contract is for three or five years' service and one further single passage if the officer's contract is extended beyond five years.

(2) When the officer marries during the period of his contract, the wife shall be allowed two free first-class single passages either way if and when the officer's contract is extended.

(3) Passages allowed to wives shall be provided under the same conditions as those allowed to officers under 4 A of these regulations.

Quarters

5. In the case of an officer occupying a house which is the property of the Government, rent will be charged on the following principle:

An officer who is occupying a house by himself shall pay rent at the rate of 8 per cent. of his salary and an officer who is sharing a house with another officer shall pay rent at the rate of 4 per cent. of his salary, provided that the payment made by the officer or officers occupying the house shall in no case exceed a fair rent for the house calculated on the basis of the actual rents of privately-owned houses in the locality. Rent will be paid on the same principle by officers occupying houses which are not the property of the Government, provided that the payment made by the officer or officers occupying the house shall in no case exceed the actual rent of the house, then, in order to assist the officer in paying the balance of the rent, the Government shall give such officers an allowance in aid as follows:

In Basrah and Bagdad

- Married officers, not exceeding 12 per cent. of their salary.
- Unmarried officers, not exceeding 6 per cent. of their salary.

In other stations

- Married officers, not exceeding 8 per cent. of their salary.
 - Unmarried officers, not exceeding 4 per cent. of their salary.
- These allowances in aid shall be subject to revision every year in accordance with the actual fluctuation of rents.

Equipment of Quarters

6. The Government shall, if possible, equip all Government houses occupied by officers with such electric light, fans and water as may be recommended by the Directorate of Health Services.

Local Leave

7. An officer may, at the discretion of the Government, be allowed local leave not exceeding twenty-one days in each calendar year. Such leave shall not be cumulative and shall not be combined with ordinary leave. When on local leave an officer shall be entitled to full salary.

Ordinary Leave

8. (1) An officer shall earn one day's ordinary leave for each five days of effective service. No leave other than local leave shall count as effective service. The period spent on voyages other than on first appointment shall be reckoned as ordinary leave.

(2) Ordinary leave shall be cumulative.

(3) Subject to the exigencies of the service, an officer may be granted ordinary leave at any time and may claim the right to take such leave as may be due to him—

In a three years' contract—Once.

In a five years' contract—Once.

In a seven years' contract—Twice.

In a ten years' contract—Twice.

(4) When on ordinary leave an officer shall be entitled to full salary.

(5) An officer on the expiry of his period of service, or on the termination of his contract by the Government for any reason other than insubordination or misconduct, shall receive pay in lieu of any ordinary leave which is due to him and which owing to the exigencies of the service he has been unable to take. The amount so issued shall not in any case exceed nine months' salary.

9. (1) Short periods of absence from duty owing to sickness, not exceeding ten consecutive days, will be allowed in Iraq on full salary. Any such absence extending beyond that period will be counted as sick leave.

(2) The aggregate amount of sick leave which an officer may be allowed on a three years' contract shall be eight months.

(3) If this aggregate amount is exceeded the Government shall have the right of terminating the contract without further notice.

(4) On each occasion of taking sick leave an officer shall receive full salary for a period up to four months and, thereafter, such leave as is due to him up to a further four months. If no leave or insufficient leave is due to him to cover the second four months he may complete the period by additional sick leave on half-pay.

At the end of this period of eight months the Government shall have the right to terminate his contract without further notice or compensation.

(5) If his original contract or his contract as extended under clause 1 hereof exceeds three years, he shall come under the regulations as to sick leave laid down for civilian officials under clause 9 of schedule 3.

(6) Nothing in this clause shall in any way modify the obligations of the Iraq Government to pay an officer of the Imperial

forces or Indian army on return from his employment until he is fit for duty in the Imperial or Indian establishment, as the case may be, subject to the maximum period of sick leave with full pay of his substantive rank and allowances as ordinarily issuable as provided in the regulations of the service concerned.

Medical Attendance

10. In Iraq an officer will be entitled to free medical treatment, but this privilege shall not extend to his family.

Termination of Contract by Government

11. In cases other than those provided for in clauses 9, 14 and 18, the Government shall have the right to terminate an officer's contract on giving him three months' notice in writing. Such notice shall only be given with the consent of the senior British officer attached to the Ministry of Defence.

11A. Where an officer of the Imperial forces or Indian army cannot be absorbed within the authorised establishment on termination of his service under the Iraq Government, that Government shall be liable for his pay and allowances under the regulations of the service concerned for the period during which he is awaiting absorption.

Special Compensation for Death, &c., due to Local Disturbances, &c.

12. Special compensation, which shall not be less favourable in the case of an officer of the Imperial forces or Indian army than that to which he would be entitled under the regulations of his parent service, will be granted under rules to be laid down hereafter by agreement between the High Contracting Parties in the case of death, injury and loss of property, &c., due to war or local disturbances, or in the case of permanent disability certified by a medical board to have arisen out of the circumstances of his employment. In the case of loss of property, no compensation will be paid unless it can be reasonably shown that it was impossible to insure such property, or that insurance could only have been effected at an exorbitant premium. In any case compensation will be paid only in respect of articles considered necessary and indispensable and the Government will take no responsibility for the loss, theft or destruction of valuables, such as jewellery, works of art, &c.

Gratuity

13. On the expiry or termination of his contract, except under clauses 14 and 18, an officer shall be entitled in addition to any sums payable under clause 8 (5) to a gratuity of one month's pay at the rate he is then drawing for every completed year of service, fractions of a year to be reckoned at the rate of one day's pay for twelve days' service.

In the case of officers who are lent or transferred to the Iraq Government by other Governments and who would continue to qualify for the pension payable by their parent service on condition that their pension contributions continue to be paid, such pension contributions (except in so far as they are payable by the officer himself under the rules of his parent service) shall continue to be paid by the Iraq Government.

Such officers will not be eligible for payment of a gratuity under this clause.

Languages

14. An officer will be required to comply with the provisions of such regulations relating to language examinations as may be drawn up by the Ministry of Defence and approved by the High Commissioner.

Such regulations may provide for the stoppage of promotion in the Iraq service in the event of failure to pass any examination prescribed as compulsory and may further provide for the termination of the officer's contract without compensation in the event of repeated failures.

Travelling Allowances. Acting Allowances

15. Travelling and transport allowances within Iraq and acting allowances shall be admissible in accordance with rules applicable to local officers.

Currency

16. In the event of the currency being altered the rupee emoluments shall thereafter be payable in the new currency at the current rate of exchange, except as provided in clause 3 (2) of this schedule.

Discipline

17. Officers will for the purpose of discipline be under the senior British officer employed under the Ministry of Defence, who will himself for disciplinary purposes be under the High Commissioner.

Termination for Insubordination, &c.

18. The Government has the right, subject to the concurrence of High Commissioner, to terminate without compensation the services of an officer who has been guilty of insubordination or misconduct.

Termination of Contract by Officer

19. An officer will be entitled to terminate his contract on giving three months' notice in writing to the Minister of Defence, but in that case he will not be entitled to a free passage home unless he has completed at least 18 months' service in the country since joining or since his last return from leave. He will be entitled to receive the gratuity due to him under clause 13, but not to any leave or gratuity in lieu of leave.

Arbitration

20. If any question arises under the agreement entered into by an officer, whether as regards its meaning or in any other respect, it shall be referred to the High Commissioner, whose decision shall be final.

GRADES

GRADE I

Adviser or Under-Secretary of State to the Ministry of Defence:

Pay-----Rs.
2,500—100—3,500

GRADE II

Senior officers, whether in headquarters or liaison officers, with a rank not lower than that of Major, except in the case of officers already employed in such senior posts:

Pay-----Rs.
1,500—75—1,800
1,800—100—2,300

GRADE III

Junior (A'wan) officers:

Pay-----Rs.
900—50—1,200
1,200—75—1,800

REMARKS

If the officer under grade III holds the rank of Captain, his salary shall commence at Rs. 1,200, and if he holds the rank of full Lieutenant or has more than seven years' service to his credit, his salary shall commence at Rs. 1,000.

General Note

(i.) An officer already in the service of the Iraq Government who is appointed to any post mentioned in this schedule and similar in grade to that in which he is serving at the time of such appointment shall be placed in the grade prescribed for the post at such a point as will give him a total salary not less than the salary which he is drawing at the time of signing the new contract. In calculating such salary regard shall be had to the number of months which he has served towards the new increment due under his old contract.

(ii.) In order to enable them to meet the extra expense which will be involved by payment of rent, lighting and conservancy charges, married officers stationed in Bagdad, Basrah or Mosul, and drawing pay at the rate of less than Rs. 1,500 per mensem shall be granted a personal allowance, to be absorbed in future increments, of Rs. 150, or such portion of Rs. 150 as shall bring their salary up to Rs. 1,500 per mensem.

In witness of which the respective plenipotentiaries have affixed their signatures thereto. Done at Bagdad in duplicate this 25th day of March, 1924, of the Christian era, corresponding with the 19th day of Sha'ban, 1342, Hijrah.

H. DOBBS,

His Britannic Majesty's High Commissioner for Iraq.

JA'FAR AL 'ASKARI,

Prime Minister of the Iraq Government.

No. 4

Military Agreement made under Article 7 of the Treaty of Alliance between Great Britain and Iraq of October 10, 1922

We, the undersigned plenipotentiaries of His Britannic Majesty and of His Majesty the King of Iraq respectively, having been duly authorised, met together this 25th day of March, 1924, corresponding to the 19th day of Sha'ban, 1342, in order to sign the following agreement subsidiary to article 7 of the treaty of alliance concluded between Their Majesties aforesaid on the 10th day of October, 1922, corresponding to the 19th day of Sa'far, 1341, Hijrah, subject to ratification.

THE AGREEMENT

Whereas a treaty of alliance between His Britannic Majesty and His Majesty the King of Iraq was signed at Bagdad on the 10th day of October, 1922, corresponding with the 19th day of Sa'far, 1341, Hijrah, and a protocol to the same treaty was signed at Bagdad on the 30th day of April, 1923, corresponding with the 14th day of Ramazan, 1341, Hijrah; and

Whereas by article 7 of the said treaty His Britannic Majesty undertakes to provide such support and assistance to the armed forces of His Majesty the King of Iraq as may from time to time be agreed by the High Contracting Parties; and

Whereas by the same article it is provided that a separate agreement regulating the extent and conditions of such support and assistance shall be concluded between the High Contracting Parties and communicated to the Council of the League of Nations; and

Whereas by article 18 of the same treaty it is provided that nothing shall prevent the High Contracting Parties from reviewing from time to time the provisions of the separate agreement referred to above with a view to any revision which may seem desirable in the circumstances then existing, any modifications which may be agreed upon by the High Contracting Parties being communicated to the Council of the League of Nations:

Now therefore it is agreed as follows:

ARTICLE 1

The two Governments hereby recognize the principle that the Government of Iraq shall at the earliest possible date, provided it shall not be later than four years from the date of the conclusion of this agreement, accept full responsibility both for the maintenance of internal order and for the defence of Iraq from external aggression. With this end in view, it is agreed that the material support and assistance now being rendered by His Britannic Majesty's Government to the Government of Iraq shall be progressively reduced with all possible expedition.

ARTICLE 2

Such support and assistance as may for a time be provided by the Government of His Britannic Majesty shall take the form of the presence in Iraq either of an Imperial garrison or of local forces maintained by His Britannic Majesty's Government and of the granting of facilities in the following matters, the cost of which will be met by the Iraq Government:

1. Military and aeronautical instruction of Iraq officers in the United Kingdom so far as this may be possible.

2. The provision in sufficient quantities of arms, ammunition, equipment and aeroplanes of the latest available pattern for the Iraq army.

3. The provision of British officials whenever they may be required by the Iraq Government within the period of the Treaty.

Such support and assistance shall in no case take the form of a contribution by His Britannic Majesty's Government to the cost of the Iraq army or other local forces maintained and controlled by the Government of Iraq, and similarly the Government of Iraq shall not contribute to the cost of the Imperial garrison or forces maintained and controlled by His Britannic Majesty's Government.

ARTICLE 3

So long as the presence of an Imperial garrison or the maintenance of local forces under the control of His Britannic Majesty's Government is necessary in order to assist the Government of Iraq in attaining the full responsibility accepted in principle under article 1 of this agreement, the following provisions shall regulate the military relations to be maintained between the two Governments in Iraq.

ARTICLE 4

The Iraq Government undertake to devote not less than 25 per cent. of the annual revenue of Iraq as defined in article 4 of the separate agreement regulating the financial relations between the two Governments, to the maintenance of the regular army and other local forces controlled by them, and in so far as their financial capacity permits, progressively to increase the strength of their permanent regular army of various arms in accordance with the programme prescribed in the schedule hereto annexed and to form a reserve army. The British Government shall equip the units of these forces, as and when they are completed, in accordance with the provisions of article 2 of this agreement.

ARTICLE 5

The strength and composition of the Imperial garrison and of the local forces under the control of His Britannic Majesty's Government shall be reviewed each year with a view to the progressive reduction provided for in article 3 of the financial agreement referred to in the preceding article.

ARTICLE 6

The Iraq army shall, subject to the provisions of the Iraq Constitutional Law, be commanded by His Majesty the King of Iraq. The Officer Commanding the British Forces in Iraq shall not intervene in matters relating to the Iraq army except as provided in articles 7 and 9 of this agreement.

ARTICLE 7

The Iraq Government undertake to grant the Officer Commanding the British Forces in Iraq authority to carry out such inspections of the Iraq army and other local forces as he may consider necessary in order that he may test their efficiency and

to submit to His Majesty the King of Iraq, through the High Commissioner, his recommendations as to such steps as he considers necessary for their improvement, and they agree to give full consideration to the wishes of the High Commissioner regarding the movements and disposition of the Iraq army, and to provide such protection for aerodromes and landing grounds as the High Commissioner, at the instance of the Air Officer Commanding, may require. The Iraq Government shall not be entitled to assistance from His Britannic Majesty's Government as contemplated in article 8 should they fail to give effect to any recommendation of the High Commissioner regarding the movements and dispositions of the Iraq army given in virtue of this article.

ARTICLE 8

The Iraq army shall only be employed in the interests of Iraq and the two Governments hereby agree that neither Government shall undertake any military operations for the maintenance of internal order or for the defence of Iraq from external aggression without previous consultation and agreement with the other Government. The Iraq Government shall not be entitled to the assistance of any forces maintained or controlled by His Britannic Majesty's Government against or for the suppression of any external aggression or any civil disturbance or armed rising, which shall, in the opinion of the High Commissioner, have been provoked or occasioned by action taken or policy pursued by the Iraq Government contrary to the advice or express wishes of His Britannic Majesty's Government.

ARTICLE 9

In the event of operations being undertaken in which forces maintained or controlled by His Britannic Majesty's Government are to take part, the command of the combined forces shall, subject to any special arrangement which may be accepted by both parties, be vested in a British military commander selected for the purpose.

ARTICLE 10

The Iraq Government undertake to recognise and, if necessary, to secure by legislation or otherwise, the following powers and immunities for any armed forces maintained or controlled by His Britannic Majesty's Government in Iraq, such armed forces to be regarded as including civilian officials and Indian public followers attached to and inhabitants of Iraq serving with the air and military forces:

(a) The right to require from the Iraq Government such action according to law as may be necessary in the detection and arrest of persons accused of offences committed against such armed forces or any members thereof and to secure the trial of persons so accused. It is understood that the right to secure the trial of such accused persons shall include the right to secure their trial by a British Judge of the Iraq Courts or by a Special Court composed of two British Judges of the Iraq Courts and one Iraqi Judge. Appeals either from the Ordinary Courts or from the Special Court shall lie to the Iraq Court of Appeal, which shall in such cases have a majority of British Judges. Trial before the Special Court shall only take place in circumstances which are certified in writing by the High Commissioner and the Air Officer Commanding to be of such exceptional urgency or importance as to render trial by the Ordinary Courts undesirable. Such certificate may specify the date and place of assembly of the Court in which event members of the Court shall proceed if necessary by air with such despatch as is needful for the Court to assemble at such date and place.

(b) The right to exercise over all members of the said forces the control and jurisdiction provided by the British, Indian or other military law, to which the members of such forces are subject.

(c) The right voluntarily to enlist inhabitants of Iraq under the Army and Air Force Acts or otherwise, it being understood that the Iraq Government undertakes for its part when called upon by the Air Officer Commanding or any person authorised by him in that behalf, to give all the assistance necessary to effect such enlistment and to remove as far as possible causes tending to prevent such enlistment.

(d) Immunity from arrest, search, imprisonment or trial by the civil power in Iraq in respect of criminal offences for all enrolled and enlisted members of the said forces: provided that inhabitants of Iraq being members of such forces shall be ordinarily subject to the jurisdiction of the Iraq Courts and shall only enjoy such immunity in respect of acts certified by the High Commissioner or the Air Officer Commanding to be done in the performance of military or other official duties. Nothing in this subclause shall prevent the forcible detention by the civil power of any member of the said forces who has just committed, or is in the act of committing an offence which involves danger to life. If the member so arrested is not an inhabitant of Iraq,

he shall be forthwith handed over to the Air Force or Military authorities.

(e) Immunity from civil process in respect of any act done or omission or default made in good faith by any member of such forces when acting in performance of his military or official duties; the certificate of the High Commissioner or Air Officer Commanding that an act or omission or default was done or made in good faith in performance of such duties to be conclusive. The immunity provided by this sub-clause shall not debar persons who have incurred material damage on account of the said acts or omissions or defaults from claiming compensation otherwise than by civil process.

(f) All such immunities and privileges in respect of civil process as are granted by the Air Force Act, the Army Act and the Indian Army Act to persons subject to such Acts, and immunity from imprisonment on the order of a Civil Court in respect of any civil action tried by such court.

ARTICLE 11

The Iraq Government undertake to introduce legislation providing for the arrest and punishment of any person who is acting or conspiring in such a way as to endanger or obstruct the said armed forces or attempting or conspiring to cause mutiny or disaffection among the said forces, or to bring the said forces into hatred or contempt, and to take action according to law against any person who is certified by the High Commissioner to be to the best of his belief so acting, attempting or conspiring, and in the case of persons of other than Iraq nationality so acting, attempting or conspiring or being likely so to act, attempt or conspire, to take such preventive steps according to law as the High Commissioner may consider desirable and practicable.

ARTICLE 12

The Iraq Government agree that, in the event of the said forces undertaking military operations in Iraq for the purpose of assisting the Iraq Government to repel external aggression or to suppress civil commotion, the King of Iraq will, on the request of the High Commissioner, proclaim martial law in all such parts of Iraq as may be affected by such aggression or commotion, and entrust its administration to the Air Officer Commanding or such other officer or officers as the Air Officer Commanding may appoint, and will further secure the passing of the necessary measure of indemnification for all acts done by the armed forces under martial law upon the subsequent reestablishment of civil government.

ARTICLE 13

The Iraq Government undertake to provide every facility for the movement of His Britannic Majesty's forces (including the use of wireless telegraph and land-line telegraphic and telephonic services and the right to lay land-lines), and for the carriage and storage of fuel and supplies for such forces on the roads, railways and waterways and in the ports of Iraq.

ARTICLE 14

The Iraq Government undertake to recognise and to secure by licence or legislation the right of His Britannic Majesty's forces to establish and work at the expense of His Britannic Majesty's Government a system of wireless telegraphs for the transmission and reception of external and internal messages on British Government service.

No payment either by way of charge or compensation for loss of traffic shall be made to the Iraq Government in respect of such messages.

His Britannic Majesty's Government undertake that no messages other than on British Government service shall be transmitted by the said system except by agreement with the Iraq Government, which agreement shall provide for compensation for loss of such traffic by the Iraq Government's Department of Posts and Telegraphs unless such messages are transmitted at the request of the Iraq Government, in which case His Britannic Majesty's Government shall be entitled to payment for the transmission of such messages.

Any compensation which may be due to the Iraq Government shall be in the form of a reduction of the debt due by the Iraq Government in respect of the telegraph system transferred to it by His Britannic Majesty's Government.

ARTICLE 15

The Iraq Government undertake at all times on the request of the High Commissioner so to restrict the working and method of transmission of the wireless telegraph station at Basrah and so to define its wave length as to obviate interference with British Government stations, and further undertake, in the event of an emergency arising, to hand over the said station on the request of the High Commissioner to His Britannic Majesty's forces for the transmission of messages on the service of His Britannic Majesty's Government, subject to the payment of compensation for the loss of other traffic.

Furthermore, the Iraq Government agree that the above undertakings shall hold good notwithstanding the disposal of the wireless telegraph station at Basrah by sale or otherwise and that, in the event of their deciding to discontinue the use of the station, three months' notice of such intention shall be given to His Britannic Majesty's Government, who shall be given an opportunity of taking over the station before dismantlement, and of operating it for the remainder of the period of the treaty.

The terms of this article shall apply equally to any other permanent wireless telegraph installation which may be established by the Iraq Government during the period of this agreement.

SCHEDULE

PROGRAMME OF EXPANSION

- 1924-25—1 Pack Battery.
2 Battalions Infantry.
1 Company Engineers.
First Line Transport for all existing units.
Expansion of Bagdad Training Centre, including initiation of a Cadets' College.
- 1925-26—Air Unit to be initiated as recommended by Air Headquarters, subject to satisfactory progress being made in the strength and efficiency of the local ground forces in Iraq.
2 Pack Batteries.
1 Cavalry Regiment.
3 Infantry Battalions.
2 Transport Companies.
1 Field Ambulance.
Ammunition Column.
Formation of Infantry Training Depots.
Formation of Artillery and Cavalry Depots.
- 1926-27—2 Field Batteries.
3 Infantry Battalions.
1 Company Engineers.
1 Skeleton Company Engineers.
1 Signal Company.
1 Field Ambulance.
- 1927-28—1 Field Battery.
1 Pack Battery.
3 Infantry Battalions.
2 Transport Companies.
1 Field Ambulance.

In witness of which the respective plenipotentiaries have affixed their signatures thereto. Done at Bagdad in duplicate this 25th day of March, 1924, of the Christian era, corresponding with the 19th day of Sha'ban, 1342, Hijrah.

H. DOBBS,

His Britannic Majesty's High Commissioner for Iraq.

JA'FAR AL 'ASKARI,

Prime Minister of the Iraq Government.

No. 5

Judicial Agreement made under Article 9 of the Treaty of Alliance between Great Britain and Iraq of October 10, 1922

We, the undersigned plenipotentiaries of His Britannic Majesty and of His Majesty the King of Iraq respectively, having been duly authorised, met together this 25th day of March, 1924, corresponding to the 19th day of Sha'ban, 1342, in order to sign the following agreement subsidiary to article 9 of the treaty of alliance concluded between Their Majesties aforesaid on the 10th day of October, 1922, corresponding to the 19th day of Sa'far, 1341, Hijrah, subject to ratification.

THE AGREEMENT

Whereas a treaty of alliance between His Britannic Majesty and His Majesty the King of Iraq was signed at Bagdad on the 10th of October, 1922, corresponding with the 19th day of Sa'far, 1341, Hijrah, and a protocol to the same treaty was signed at Bagdad on the 30th day of April, 1923, corresponding with the 14th day of Ramazan, 1341, Hijrah; and

Whereas by article 9 of the said treaty His Majesty the King of Iraq undertakes that he will accept and give effect to such reasonable provisions as His Britannic Majesty may consider necessary in judicial matters to safeguard the interests of foreigners in consequence of the non-application of the immunities and privileges enjoyed by them under capitulation or usage, and that such provisions shall be embodied in a separate agreement which shall be communicated to the Council of the League of Nations:

Now therefore it is agreed as follows:

ARTICLE 1

The expression "foreigners" means the nationals of any European or American State which formerly benefited by capitulations in Turkey and did not renounce the same by an agreement signed before the 24th July, 1923, and of any Asiatic State which is now permanently represented on the Council of the

League of Nations, and includes corporations constituted under the laws of such States, and religious or charitable bodies or institutions wholly or mainly composed of nationals of such States.

Nothing in this article shall prevent the conclusion by His Majesty the King of Iraq in agreement with His Britannic Majesty of a special convention with any State providing for the extension of the benefits of this agreement to nationals and persons enjoying the protection of that State or for the non-application of this agreement to nationals of that State.

ARTICLE 2

His Majesty the King of Iraq undertakes to employ British legal experts in the Courts and to grant them judicial powers under the laws of Iraq and that the procedure now observed in the Courts in regard to the investigation of offences and the trial of cases and other matters in which foreigners are concerned shall continue and be put into force by law, that is to say:

(a) That foreigners accused of an offence (other than a contravention) which is within the jurisdiction of a Magistrate may claim to be tried by a British Magistrate.

(b) That foreigners accused of an offence which is beyond the jurisdiction of a Magistrate may claim that the interrogation during the preliminary investigation shall be undertaken and that the orders as to their release on bail and as to their committal for trial shall be made by a British Magistrate.

(c) That foreigners committed for trial may claim that their trial shall be held before a Court which includes at least one British Judge, who shall preside.

(d) That in civil actions over 750 rupees in value, foreigners who are parties to the cause may claim that the final judgment in a Court of First Instance shall be given, and that appeals or applications for revisions shall be heard by a Court presided over by a British Judge and composed so as to include one British Judge in a Court of three or less than three, two British Judges in a Court of four or five, and three British Judges in a Court of more than five.

(e) That in criminal cases foreigners may claim that their appeal or application for revision shall be heard by a Court presided over by a British Judge and composed as prescribed by the preceding paragraph, or if all the parties joining in such appeal or application are foreigners and agree to that course, by a British Judge sitting alone.

(f) A foreigner who is a party to the proceedings and has not sufficient knowledge of Arabic to understand them may claim that all proceedings shall be translated in English and the Magistrate shall so order if he considers the claim to be well grounded.

(g) That in the towns of Bagdad and Basrah and their environs and in all other places where a British Judge or Magistrate having jurisdiction for that purpose is available the house of a foreigner shall not be entered by any judicial or administrative authority except on a warrant issued by a British Judge or Magistrate.

Where no British Judge or Magistrate is available as above and in all cases where the police are by law allowed to enter houses without search warrant, the house of a foreigner shall not be entered without a report of such entry being immediately made to the nearest British Judge or Magistrate.

ARTICLE 3

His Majesty the King of Iraq undertakes that every law affecting the jurisdiction, constitution or procedure of Courts or the appointment and discharge of Judges shall, before being presented to the legislature, be submitted in draft to the High Commissioner for his views and advice on such of its provisions as concern the interest of foreigners.

ARTICLE 4

In matters relating to the personal status of foreigners or in other matters of a civil and commercial nature in which it is customary by international usage to apply the law of another country, such law shall be applied in manner to be prescribed by law. Without prejudice to the provisions of any law relating to the jurisdiction of religious courts, or to such powers of Consuls in regard to the administration of estates of their nationals as may be recognized under agreements concluded by the Government of Iraq, cases relating to the personal status of foreigners will be dealt with by the Civil Court, subject to the conditions of this agreement. In questions of marriage, divorce, maintenance, dowry, guardianship of infants and succession of movable property, the President of the Court hearing the case, or, in case of appeal or revision, the President of the Court of Appeal and Revision hearing the case may invite the Consul or representative of the Consulate of the foreigner concerned to sit as an expert for the purpose of advising upon the personal law concerned.

ARTICLE 5

His Majesty the King of Iraq agrees to submit beforehand to the High Commissioner for his concurrence the appointment of all British Presidents and members of Courts of Appeal and Revision as well as the termination of the appointment of any British Judge or Magistrate.

ARTICLE 6

The provisions of this agreement shall remain in force for the period of the treaty and shall cease to have effect after the expiration of that period.

In witness of which the respective plenipotentiaries have affixed their signatures thereto. Done at Bagdad in duplicate this 25th day of March, 1924, of the Christian era, corresponding with the 19th day of Sha'ban, 1342, Hijrah.

H. DOBBS,

His Britannic Majesty's High Commissioner for Iraq.

JA'FAR AL 'ASKARI,

Prime Minister of the Iraq Government.

No. 6

Financial Agreement made under Article 15 of the Treaty of Alliance between Great Britain and Iraq of October 10, 1922

We, the undersigned plenipotentiaries of His Britannic Majesty and of His Majesty the King of Iraq respectively, having been duly authorised, met together this 25th day of March, 1924, corresponding to the 19th day of Sha'ban, 1342, in order to sign the following agreement subsidiary to article 15 of the treaty of alliance concluded between Their Majesties aforesaid on the 10th day of October, 1922, corresponding to the 19th day of Sa'far, 1341, Hijrah, subject to ratification.

THE AGREEMENT

Whereas a treaty of alliance between His Britannic Majesty and His Majesty the King of Iraq was signed at Bagdad on the 10th day of October, 1922, corresponding with the 19th day of Sa'far, 1341, Hijrah, and a protocol to the same treaty was signed at Bagdad on the 30th day of April, 1923, corresponding with the 14th day of Ramazan, 1341, Hijrah; and

Whereas by article 15 of the said treaty it is provided that a separate agreement shall regulate the financial relations between the High Contracting Parties, which shall provide, on the one hand, for the transfer by His Britannic Majesty's Government to the Government of Iraq of such works of public utility as may be agreed upon, and for the rendering by His Britannic Majesty's Government of such financial assistance as may from time to time be considered necessary for Iraq, and, on the other hand, for the progressive liquidation by the Government of Iraq of all liabilities thus incurred, and that such agreement shall be communicated to the Council of the League of Nations; and

Whereas by article 4 of the same treaty His Majesty the King of Iraq undertakes that he will fully consult the High Commissioner on what is conducive to a sound financial and fiscal policy, and will ensure the stability and good organisation of the finances of the Iraq Government so long as that Government is under financial obligations to the Government of His Britannic Majesty; and

Whereas by article 18 of the same treaty it is provided that nothing shall prevent the High Contracting Parties from reviewing from time to time the provisions of the separate agreement referred to above with a view to any revision which may seem desirable in the circumstances then existing, any modifications which may be agreed upon by the High Contracting Parties being communicated to the Council of the League of Nations;

Now therefore it is agreed as follows:

ARTICLE 1

The two Governments hereby recognise the principle that the entire cost of the civil administration of Iraq shall be borne on Iraq revenues, and that the Government of Iraq shall, at the earliest possible date, accept full financial responsibility for the maintenance of internal order, and for the defence of Iraq from external aggression.

ARTICLE 2

Such financial assistance as may for a time be provided by the Government of His Britannic Majesty shall take the form of the maintenance in Iraq, at the expense of His Britannic Majesty's Government, of an Imperial garrison or of local forces controlled by His Britannic Majesty's Government, but shall in no case take the form of a contribution by His Britannic Majesty's Government to the cost of the Iraq army or local forces maintained and controlled by the Government of Iraq.

ARTICLE 3

The financial assistance to be provided for the aforesaid purposes shall be progressively reduced as His Britannic Majesty's Government may determine in each financial year, and shall in

any case terminate within a period not exceeding four years from the date of the ratification of peace with Turkey.

ARTICLE 4

The Government of Iraq undertake to devote not less than 25 per cent. of the revenues of Iraq towards the cost of the defence and security of Iraq.

For the purpose of this article the revenue of Iraq shall be regarded as the gross receipts in all cases under each head of revenue service with the exception of the commercial services, other than Posts, Telegraph and Telephones, of which the net revenues shall be included.

ARTICLE 5

His Britannic Majesty's Government agree to the transfer to the Government of Iraq, and the Government of Iraq agree to accept the transfer, of the undermentioned works of public utility at the valuation shown against each of the works specified:—

	Rs.
Irrigation.....	62, 12, 040
Roads.....	3, 20, 000
Bridges.....	11, 17, 500
Posts, Telegraphs and Telephones.....	17, 60, 000
Total.....	94, 09, 540

ARTICLE 6

The Government of Iraq accept the liability to repay to His Britannic Majesty's Government the full value of the works specified in the preceding article, representing a total sum of Rs. 94,09,540.

ARTICLE 7

The sum of Rs. 94,09,540 shall constitute a debt to be repaid by means of a terminal annuity, calculated so as to repay the capital sum, with interest at 5 per cent. per annum, within twenty years from the conclusion of this agreement.

The Government of Iraq further agree that, if from any cause the whole or part of the annuity payable in any year shall remain unpaid at the close of that year, the amount so outstanding shall be added to the total debt and converted into an annuity terminable within twenty years from the conclusion of this agreement, with interest at 5 per cent. per annum. The annuity payments required under this article shall be a first charge on the general revenues of Iraq, and no prior charge shall be set up without the consent of His Britannic Majesty's Government.

ARTICLE 8

His Britannic Majesty's Government hereby transfer to the Government of Iraq as from the 1st day of April, 1923, and for a period not exceeding four years from the ratification of the Treaty of Alliance, the management and administration of the Iraq railway system, which shall remain the property of His Britannic Majesty's Government, and the Government of Iraq hereby accept the responsibility for administering and managing the said system. So long as the railways are administered and managed by the Iraq Government, all receipts of the Iraq railways will be kept separate from the general revenues of Iraq and will be used solely for meeting (a) current expenditure of the railway, and (b) in so far as there may be any surplus of receipts over such current expenditure, the cost of further capital works undertaken with the approval of the High Commissioner, or the payment of interest on money borrowed for the purpose of such capital works. So long as the railways are administered or managed by the Government of Iraq, His Britannic Majesty's Government will do everything in their power to obtain for that Government any advice or assistance which they may require, the cost of such advice or assistance being charged as a part of the current expenses of the railways. His Britannic Majesty's Government will not sell the railways to any private purchaser within the period of four years from the ratification of the treaty except with the concurrence of the Iraq Government, which shall not be unreasonably withheld, and the Iraq Government shall not within the same period lease the railways to any private lessee without the concurrence of His Britannic Majesty's Government. In the event of the Government of Iraq desiring within the said period to acquire the ownership of the railways, whether for the purpose of selling or leasing them to any private purchaser or lessee or otherwise, His Britannic Majesty's Government shall state the terms upon which they will be prepared to transfer such ownership, and the transfer shall be made upon terms to be mutually agreed. In default of agreement as to such terms, the matter shall be referred to three arbitrators, of whom one shall be appointed by His Britannic Majesty's Government and one by the Government of Iraq. The third arbitrator shall be chosen by the other two arbitrators by agreement, or failing such agreement, by the President of the Permanent Court of International Justice. The arbitrators shall take into consideration the ex-

penses incurred by His Britannic Majesty's Government in the construction, equipment and maintenance of the railways, and the past, actual and prospective value of the railways to the Government and people of Iraq, and shall decide what payment ought to be made by the Government of Iraq to His Britannic Majesty's Government for the transfer of ownership, and in what manner and at what dates, having regard to the general financial resources and liabilities of Iraq, such payment ought to be made. His Britannic Majesty's Government and the Government of Iraq undertake to accept and to give effect to the decision of the arbitrators.

His Britannic Majesty's Government and the Government of Iraq agree that on the expiry of the period of four years from the ratification of the Treaty of Alliance, the ownership of the railway system shall in default of prior sale or transfer be forthwith transferred to the Iraq Government on terms to be mutually agreed, or failing such agreement, to be decided by arbitration as hereinbefore provided.

ARTICLE 9

The Government of Iraq agree not to dispose by sale or in any other manner of any of the works specified in articles 5, 6, 7 and 8 without the prior consent of His Britannic Majesty's Government, until such time as repayment of the value of all the said works has been completed. Should any of the said works be so disposed of with the concurrence of His Britannic Majesty's Government, the outstanding debt to His Britannic Majesty's Government in respect of the work or works so disposed of shall simultaneously be liquidated by the Iraq Government. The negotiations for such disposal shall be conducted by the High Commissioner, and shall be subject to the approval of His Britannic Majesty's Government.

ARTICLE 10

His Britannic Majesty's Government and the Government of Iraq agree that the Port of Basrah shall be transferred to a Port Trust, and that the conditions of this transfer shall be dealt with separately, and shall include the following:—

1. Port receipts and expenditure shall be excluded from Iraq General Accounts, and a Port Trust shall be set up with the authority of the Iraq Government, and subject to the approval of His Britannic Majesty's Government, to administer the port.

2. The valuation of Rs. 72,19,000 shall be treated as a debt of the Port Trust to His Britannic Majesty's Government. The terms and conditions on which the Port Trust shall operate shall be subject to the approval of His Britannic Majesty's Government, and shall be dealt with by separate arrangement in consultation with the Government of Iraq, who hereby agree to facilitate the negotiations for the establishment of the Port Trust, and to secure the position in Iraq of the said Port Trust by such legislation as may be necessary.

ARTICLE 11

1. The Government of Iraq agree that all lands and buildings, the property of the Iraq Government now in the occupation of His Britannic Majesty's Government for military and other purposes, shall remain in the undisturbed occupation of His Britannic Majesty's Government until such time as they are no longer required: provided that after the termination of the Anglo-Iraq Treaty and subject to the provisions of any further treaty or agreement which may be concluded in pursuance of the protocol to the said treaty, His Britannic Majesty's Government shall not retain such land or buildings for a period longer than may be reasonably necessary for the sale or disposal of any buildings or works, the property of His Britannic Majesty's Government, situate thereon.

2. The Iraq Government agree to transfer to His Britannic Majesty's Government, free of charge, waste Government land required for military and other purposes by His Britannic Majesty's Government, and such land as well as the buildings thereon, or to be erected thereon, shall remain the property of His Britannic Majesty's Government for so long as such land and buildings are required by His British Majesty's Government, provided that after the termination of the Anglo-Iraq Treaty, and subject to the provisions of any further treaty or agreement which may be concluded in pursuance of the protocol to the said treaty, His Britannic Majesty's Government shall not require the transfer of any further waste Government land for military purposes, and shall not retain any such land already so transferred for military purposes for a period longer than may be reasonably necessary for the disposal of such land and the buildings thereon as provided in sub-clause 5 of this article.

3. Privately-owned land or buildings required at any time before the termination of the Anglo-Iraq Treaty by His Britannic Majesty's Government for military and other purposes shall at the request of His Britannic Majesty's Government be acquired or leased by the Iraq Government under such Expropriation Law as may from time to time be in force, and the Iraq Gov-

ernment shall receive the purchase price or rental from His Britannic Majesty's Government. The Iraq Government agree to promulgate such legislation as may be necessary for the compulsory acquisition or leasing of any privately-owned land or buildings required by His Britannic Majesty's Government for military and other purposes, and any such legislation shall, in the case of land compulsorily leased on behalf of His Britannic Majesty's Government, empower His Britannic Majesty's Government on or before the expiration of such lease to remove any works or buildings erected on such land by His Britannic Majesty's Government, and shall further provide that, where the land or building is to be acquired or leased on behalf of His Britannic Majesty's Government, a representative of His Britannic Majesty's Government to be selected by the High Commissioner shall serve in any Assessment Board constituted under such laws. As regards privately-owned land of which ownership is acquired under this sub-clause by His Britannic Majesty's Government for military purposes, the Iraq Government shall have the right, at the termination of the treaty, to purchase by agreement or arbitration the land and the buildings thereon. As regards privately-owned land of which the leasehold is obtained under this sub-clause by His Britannic Majesty's Government for military purposes, the period of the lease shall be for the period of the treaty, but shall be extended after the termination of the treaty at the request of His Britannic Majesty's Government for such time as may be reasonably necessary to enable His Britannic Majesty's Government to dispose of the buildings thereon.

4. The Iraq Government shall place no obstacle in the way of His Britannic Majesty's Government purchasing by agreement privately-owned land or buildings.

5. His Britannic Majesty's Government shall have full power to sell land acquired by them prior to the conclusion of this agreement, and to be acquired under paragraphs 3 and 4 of this article, together with the buildings thereon, and to appropriate for their own use the proceeds of such sale, if at any time such land is no longer required by His Britannic Majesty's Government. His Britannic Majesty's Government shall have full power to dispose of land, together with the buildings thereon, transferred to them under paragraph 2 of this article, subject to payment to the Government of Iraq of the sale or rental value of the site, such value to be determined, where possible, by reference to the market value of similar land in the neighbourhood or by agreement between the two Governments.

ARTICLE 12

The Iraq Government undertake that, notwithstanding the termination of the treaty of alliance, the financial obligations accepted by them in articles 5-11 of this agreement shall continue in force until repayment of all sums due by them to His Britannic Majesty's Government under this agreement has been completed, and shall be faithfully fulfilled. They further agree that until the completion of such repayment no prior charge on the general revenues of Iraq shall be created in order to secure a loan or for any similar purpose without the prior consent of His Britannic Majesty's Government. Such consent shall not be withheld if His Britannic Majesty's Government are satisfied that the object for which such prior charge is to be created is one which will tend to secure the sound financial development of Iraq, and will not impair the capacity of the Iraq Government to discharge their liabilities to His Britannic Majesty's Government.

ARTICLE 13

The ordinary expenses of civil government and administration and the salaries and expenses of the High Commissioner and his staff will be borne entirely by the Government of Iraq. His Britannic Majesty's Government will invite Parliament to make a contribution amounting to half of the expenditure approved by the Secretary of State upon salaries and other expenses of the High Commissioner and his staff. The Government of Iraq will provide quarters for the accommodation of members of the staff of the High Commissioner, subject to the payment of reasonable rent by the officers concerned.

ARTICLE 14

1. The Government of Iraq agree that the following articles shall be exempt from customs duties on import or export:—

(a) All articles for the personal use of the High Commissioner.

(b) All articles for the official use of the High Commissioner and his staff and of the Imperial and other forces or services maintained in Iraq at the expense of His Britannic Majesty's Government, all articles imported by or consigned to the Navy, Army and Air Force Institute or any other official canteen for His Britannic Majesty's forces, and all personal effects introduced on arrival in Iraq by members of the High Commissioner's staff and of such forces or services: provided that if any articles

imported or introduced under this exemption are disposed of to other parties than those entitled to this exemption, the customs duty then in force shall be paid by the person, service, force or institute making such disposal.

(c) All imported articles addressed to individual members or recognised messes of His Britannic Majesty's forces on production of a certificate that they are for the use of the individual or mess concerned.

(d) All articles exported by members of His Britannic Majesty's forces on production of a certificate that they are not exported for sale.

2. Duty shall be paid on all articles not imported directly by the authorities, forces and services detailed above, but the Iraq Government agree to grant a rebate of the duty so paid on production of a certificate from a competent authority that the articles on which duty has been paid have been delivered to and received for the official use of the High Commissioner and his staff and of the Imperial and other forces maintained in Iraq at the expense of His Britannic Majesty's Government.

ARTICLE 15

The Government of Iraq agree not to levy any tax on the forces or services of His Britannic Majesty's Government in respect of offices, buildings, land or premises occupied by such forces or services for official purposes.

ARTICLE 16

The Government of Iraq undertake to provide for the due payment of all sums which may be payable to officials of British nationality in the employment of the Iraq Government in accordance with the provisions of the terms of the contracts of those officials, and this undertaking shall continue in force during the continuance and on the termination of such contracts.

ARTICLE 17

The Government of Iraq recognise their liability to meet as they fall due all sums or charges in respect of the Ottoman Public Debt which may be assigned to the Government of Iraq under the Treaty of Peace with Turkey.

ARTICLE 18

The forces and services of His Britannic Majesty's Government, including the Navy, Army and Air Force Institute or any other official canteen of His Britannic Majesty's forces, shall pay at most-favoured rates for all services rendered by Departments of the Iraq Government.

ARTICLE 19

His Britannic Majesty's Government agree to contribute towards the cost of upkeep and maintenance of roads and bridges used for traffic by His Britannic Majesty's forces. The expenses incurred by His Britannic Majesty's Government on public roads and bridges shall be taken into account in assessing such contribution.

In witness of which the respective plenipotentiaries have affixed their signatures thereto. Done at Bagdad in duplicate this 25th day of March, 1924, of the Christian era, corresponding with the 19th day of Sha'ban, 1342, Hijrah.

H. DOBBS,

His Britannic Majesty's High Commissioner for Iraq.

JAFAR AL 'ASKARI,

Prime Minister of the Iraq Government.

SCHEDULE III

ANGLO-IRAQ TREATY OF THE 13TH DAY OF JANUARY, 1926

His Majesty the King of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas, Emperor of India, of the one part; and His Majesty the King of Iraq, of the other part:

Anxious to give full effect to the stipulations in the decision of the Council of the League of Nations dated the 16th day of December, 1925, fixing the frontier between Turkey and Iraq in pursuance of article 3 of the Peace Treaty signed at Lausanne on the 24th day of July, 1923, to the effect that the relations between the high contracting parties now defined by the Treaty of Alliance and by the undertaking of His Britannic Majesty's Government approved by the Council of the League of Nations on the 27th day of September, 1924, should be continued for a period of twenty-five years, unless Iraq is, in conformity with article 1 of the Covenant of the League of Nations, admitted as a member of the League before the expiration of that period:

Bearing in mind the intention which the high contracting parties have mutually expressed in the protocol of the 30th day of April, 1923, to conclude a fresh agreement regulating subsequent relations between them:

Have decided by means of a new treaty to ensure due fulfilment of the said stipulations and have for this purpose named as their plenipotentiaries:

His Majesty the King of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas, Emperor of India, Bernard Henry Bourdillon, Esquire, C. M. G., Acting High Commissioner of His Britannic Majesty in Iraq;

His Majesty the King of Iraq, Abdul Muhsin Beg al-Sa'dun, Prime Minister of the Iraq Government and Minister for Foreign Affairs;

Who, having communicated their full powers, found in good and due form, have agreed as follows:—

ARTICLE 1

The provisions contained in article 18 of the treaty between the high contracting parties signed at Bagdad on the 10th day of October, 1922, of the Christian Era, corresponding with the 19th day of Safar, 1340, Hijrah, and in the protocol signed on the 30th day of April, 1923, of the Christian Era, corresponding with the 14th day of Ramazan, 1341, Hijrah, in so far as they relate to the duration of the said treaty are hereby abrogated, and the said treaty shall remain in force for a period of twenty-five years from the 16th day of December, 1925, unless before the expiration of that period Iraq shall become a member of the League of Nations.

The various agreements between the high contracting parties subsidiary to the said treaty of the 10th day of October, 1922, shall, in so far as their duration is made dependent on that of the said treaty, likewise remain in force for the period laid down in the present treaty, but in other respects their provisions shall not be affected.

ARTICLE 2

The high contracting parties agree, immediately after the ratification of the present treaty and its approval by the Council of the League of Nations, to continue active consideration of the questions which have already been under discussion between them in regard to the revision of the agreements arising out of articles 7 and 15 of the treaty of October 10th, 1922.

ARTICLE 3

Without prejudice to the provisions of article 6 of the treaty of October 10th, 1922, in regard to the admission of Iraq into the League of Nations or the provisions of article 18 of the said treaty which permit the revision at any time, subject to the consent of the Council of the League of Nations, of the provisions of the said treaty or of certain of the agreements subsidiary thereto, His Britannic Majesty undertakes that, at the time when the treaty of October 10th, 1922, would have expired under the protocol of April 30th, 1923, and at subsequent successive intervals of four years until the expiry of the period of twenty-five years mentioned in the present treaty or until the admission of Iraq into the League of Nations, he will take into active consideration the following two questions, namely:—

(1) The question whether it is possible for him to press for the admission of Iraq into the League of Nations.

(2) If it is not so possible, the question of the amendment, on account of the progress made by the Kingdom of Iraq or for any other reason, of the agreements referred to in article 18 of the treaty of October 10th, 1922.

The present treaty, in English and Arabic, of which in case of divergence the English text will prevail, shall be ratified and ratifications shall be exchanged as soon as possible.

In witness whereof the above-named plenipotentiaries have signed the present treaty and have affixed thereunto their seals.

Done at Bagdad the Thirteenth day of January, one thousand nine hundred and twenty-six of the Christian Era, corresponding to the Twenty-eighth day of Jamadi-al-Ukhra, one thousand three hundred and forty-four, Hijrah, in three copies, of which one shall be deposited in the archives of the League of Nations at Geneva and one shall be retained by each of the high contracting parties.

(L. S.) B. H. BOURDILLON,

His Britannic Majesty's Acting High Commissioner in Iraq.

(L. S.) ABDUL MUHSIN AL-SA'DUN,

Prime Minister of the Iraq Government, and Minister for Foreign Affairs.

SCHEDULE IV

LETTER FROM HIS BRITANNIC MAJESTY'S GOVERNMENT TO THE SECRETARY-GENERAL OF THE LEAGUE OF NATIONS, OF THE 2ND DAY OF MARCH, 1926

FOREIGN OFFICE, March 2, 1926.

SIR: In compliance with the invitation conveyed in article 2 of the decision recorded by the Council of the League of Nations on the 16th December, 1925, I am directed by Secretary Sir Austen Chamberlain to transmit to you herewith, for submission to the Council, the text of a new treaty between Great Britain

and Iraq which was signed at Bagdad on the 13th of January, 1926.

2. By decision dated the 27th September, 1924, the Council accepted the terms of the Treaty of Alliance between Great Britain and Iraq supplemented by certain undertakings given by His Majesty's Government, as giving effect, in respect of Iraq, to the provisions of article 22 of the Covenant of the League of Nations. By article 2 of their decision of December last the Council made the further condition that the régime established by the aforesaid Treaty of Alliance and undertakings should be continued for a specified period. The requisite extension of the duration of the Treaty of Alliance is provided for by article 1 of the new treaty. In submitting this treaty to the Council, His Majesty's Government declare that so long as it remains in force they will regard as binding the undertakings given by them to the Council in September 1924, and will continue to act in conformity therewith.

3. His Majesty's Government are thus in a position to inform the Council that the stipulations of article 2 of the decision of December, 1925, have been fulfilled, and that the necessary steps have been taken to ensure the continuance for twenty-five years of the present régime as approved by the Council in September 1924, unless Iraq is, in conformity with article 1 of the Covenant, admitted as a Member of the League before the expiration of that period.

4. Provision for periodical review of the question of the admission of Iraq to the League of Nations is made in article 3 of the new treaty.

5. By article 4 of their undertakings, approved by the Council in September 1924, His Majesty's Government engaged that they would agree to no modification of the Treaty of Alliance without the consent of the Council of the League. They hereby give a similar undertaking in regard to the treaty of the 13th January, 1926. This undertaking will apply to any proposals that may be made, as a result of the discussions contemplated in articles 2 and 3 of the new treaty, for the revision or amendment of the agreements subsidiary to the treaty of the 10th October, 1922.

6. In the light of these explanations, His Majesty's Government request that the Council may now be moved to take action, as contemplated in article 2 of their decision of December last, to declare that their decision in regard to the Turco-Iraq frontier has become definitive.

7. The treaty of the 13th January, 1926, has now been approved by the British House of Commons and by the Chamber of Deputies and Senate of Iraq.

8. With reference to article 3 of the Council's decision of December last, I am to enclose, for the information of the Council, a memorandum dealing with the administration of the Kurdish districts in Iraq.

I am, &c.

LANCELOT OLIPHANT.

PROTOCOL

On the signature this day of the Convention between His Britannic Majesty and His Majesty the King of Iraq, respectively, of the one part, and the President of the United States of America of the other part, the undersigned Plenipotentiaries, duly authorised thereto, have agreed as follows:—

(1) It is understood by the High Contracting Parties that the term "exercise of industries" as employed in article XI of the Anglo-Iraq Treaty of Alliance signed the 10th October, 1922, covers the granting and operation of concessions.

(2) With reference to article 4 of the Convention signed this day, it is understood by the High Contracting Parties that the Iraq Government will not interfere in matters concerning the curriculum, such as the time-table, discipline and purely internal administration in schools established or maintained by nationals of the United States of America in Iraq.

(3) It is understood that upon the entry into force of the Convention signed this day and during the period of the special relations existing between His Britannic Majesty and His Majesty the King of Iraq, defined in article I of the said Convention, there will be a suspension of the capitulatory régime in Iraq so far as the rights of the United States and its nationals are concerned, and that such rights will be exercised in conformity with the decision of the Council of the League of Nations dated the 27th September, 1924.

(4) It is understood that article 3 of the Convention signed this day does not prohibit the Iraq Government from expropriating American property for public purposes under normal expropriation laws of general application, and subject to the previous provision for just and reasonable compensation.

The present Protocol shall be deemed an integral part of the Convention signed this day and shall be ratified at the same time as that Convention.

In witness whereof, the respective Plenipotentiaries have signed the present Protocol and have affixed thereto their seals.

Done in triplicate in English and Arabic, of which, in case of divergence, the English text shall prevail, at London, this 9th day of January, 1930.

(L. S.) CHARLES G. DAWES.

(L. S.) ARTHUR HENDERSON.

(L. S.) JA'FAR EL ASKERI.

FOREIGN OFFICE, S. W. 1, 9th January, 1930.

YOUR EXCELLENCY:

On the signature this day of the convention between His Britannic Majesty and His Majesty the King of Iraq, respectively, of the one part, and the President of the United States of America of the other part, I have the honour to inform Your Excellency that His Majesty's Government in the United Kingdom of Great Britain and Northern Ireland agree to furnish to the Government of the United States a duplicate of the annual report to be made in accordance with the terms of the decision of the Council of the League of Nations on the 27th day of September, 1924.

I have the honour to be, with the highest consideration,

Your Excellency's obedient servant,

ARTHUR HENDERSON.

His Excellency General CHARLES G. DAWES, C. B.,
etc., etc., etc.

EMBASSY OF THE UNITED STATES OF AMERICA,
London, January 9, 1930.

No. 372.

SIR: On the signature this day of the convention between the President of the United States of America of the one part, and His Britannic Majesty and His Majesty the King of Iraq of the other part, I have the honor to take note of your declaration that His Majesty's Government in the United Kingdom of Great Britain and Northern Ireland agree to furnish the United States Government with a duplicate of the annual report to be made in accordance with the terms of the decision of the Council of the League of Nations on the 27th day of September, 1924.

I have the honor to be, with the highest consideration, sir,

Your most obedient, humble servant,

CHARLES G. DAWES.

The Right Honorable ARTHUR HENDERSON, P. C.,
Etc., etc., etc., The Foreign Office.

IRAQ LEGATION. 51, QUEEN'S GATE GARDENS, S. W. 7,
January 9th, 1930.

YOUR EXCELLENCY,

I have the honour to bring to your notice a point connected with article 2 of the protocol attached to the tripartite convention between the United States of America, the United Kingdom, and Iraq. Article 2 of the protocol provides that the Government of Iraq shall not interfere in matters concerning the curriculum, such as the time-tables, discipline, and purely internal administration in schools established or maintained by nationals of the United States of America in Iraq. The Iraq Government interpret this article as not preventing the enforcement on the said schools of article 28 of the public instruction law of 1929 the translation of which runs:

It is obligatory to teach the Arabic language and the history and geography of Iraq and the history of the Arabs in accordance with the programme of the Ministry of Education in all nontechnical private schools both primary and secondary. The hours devoted to the Arabic language must be not less than five hours a week in primary classes and three hours a week in secondary classes.

I have therefore been instructed by my Government to inform your excellency that the Iraq Government consider that article 2 of the said protocol shall not override the provisions of article 28 of the above-mentioned law.

I have the honour to be, sir

Your obedient servant,

JÁFAR EL ASKERI,
The Iraq Plenipotentiary.

His Excellency the UNITED STATES PLENIPOTENTIARY.

EMBASSY OF THE UNITED STATES OF AMERICA,
London, January 9, 1930.

YOUR EXCELLENCY:

I have the honor to acknowledge the receipt of Your Excellency's note of to-day's date, which reads as follows:

I have the honour to bring to your notice a point connected with article 2 of the protocol attached to the tripartite convention between

the United States of America, the United Kingdom, and Iraq. Article 2 of the protocol provides that the Government of Iraq shall not interfere in matters concerning the curriculum, such as the time-tables, discipline, and purely internal administration in schools established or maintained by the nationals of the United States of America in Iraq. The Iraq Government interpret this article as not preventing the enforcement on the said schools of article 28 of the public instruction law of 1929, the translation of which runs:

"It is obligatory to teach the Arabic language and the history and geography of Iraq and the history of the Arabs in accordance with the programme of the Ministry of Education in all nontechnical private schools, both primary and secondary. The hours devoted to the Arabic language must be not less than five hours a week in primary classes and three hours a week in secondary classes."

I have therefore been instructed by my Government to inform Your Excellency that the Iraq Government consider that article 2 of the said protocol shall not override provisions of article 28 of the above-mentioned law.

In taking note of this communication I avail myself of this opportunity to renew to Your Excellency the assurance of my high consideration.

I have the honor to be, Excellency,
Your most obedient servant,

CHARLES G. DAWES.

His Excellency JAFAR PASHA EL-ASKERI, C. M. G.,

etc., etc., etc.,

The Legation of Iraq, London.

Mr. BORAH. Mr. President, this is a convention with Great Britain defining the rights of the United States and its nationals in Iraq. It is similar to the treaties which we entered into with France concerning Syria and Lebanon. What the treaty really accomplishes is to give citizens of the United States in Iraq the same commercial privileges and the same privileges with reference to religious matters that are now enjoyed by Great Britain under her mandate.

Mr. SHIPSTEAD. Mr. President, the Senator is referring to Iraq, which is now under the mandate of Great Britain?

Mr. BORAH. Yes.

Mr. SHIPSTEAD. Is that where the large oil fields are located?

Mr. BORAH. There are large oil fields in Iraq; yes.

Mr. SHIPSTEAD. Will we get our share of them?

Mr. BORAH. We will get the privilege of going in there and acquiring and holding property, just as we have that privilege elsewhere.

Mr. President, I have nothing further to say, except to ask permission to place in the RECORD a memorandum of facts concerning this treaty furnished by the State Department.

The VICE PRESIDENT. Without objection, the statement will be printed in the RECORD.

The statement is as follows:

MEMORANDUM

FEBRUARY 20, 1930.

The tripartite convention between the United States, of the one part, and Great Britain and Iraq, of the other part, is similar in purpose to the convention concluded by the United States with France on April 4, 1924, with respect to Syria and the Lebanon, and to the convention concluded with Great Britain on December 3, 1924, with respect to Palestine. The primary purpose of all of these conventions has been to regularize the position of the United States in certain of the territories detached from the former Ottoman Empire following the war.

It had originally been intended that Great Britain should receive a mandate for Iraq similar to that for Palestine, but the situation so developed that the British Government reached the conclusion that it would be best to incorporate the mandate principles in a treaty with the Emir Faisal, who had been elected King of Iraq. Such a treaty was signed and ratified, and on September 27, 1924, it was accepted by the council of the League of Nations as giving effect to article 22 of the covenant with respect to the mandate principle.

The present convention differs in form from those regarding Palestine and Syria and the Lebanon in that Iraq is one of the contracting parties, but the principle involved is the same. In the Palestine convention, signed with Great Britain, the United States "consented to the administration of Palestine by His Britannic Majesty's Government"; in the present convention the United States "consents to the régime established in virtue of the decisions of the Council of the League of Nations"; that is, to the so-called special relations between Great Britain and Iraq.

The keystone of the present convention is that the United States obtains the same rights in Iraq that are secured to members of the League of Nations. The specific rights of league members are defined in the treaty of alliance between Great Britain and Iraq, signed at Baghdad on October 10, 1922. Among these rights may be mentioned those with respect to taxation, commerce, or navigation, the exercise

of industries and professions, and the treatment of merchant vessels and civil aircraft. Under another clause of the Anglo-Iraq treaty of alliance assurance is given that missionary enterprise will not be interfered with or obstructed and that missionaries will not be discriminated against on the ground of their religious beliefs or nationality.

The present tripartite convention, following the form of the conventions regarding Syria and Palestine, provides that the schools established by American nationals in Iraq will be permitted freely to operate, to receive voluntary applicants, and to teach in the English language. It further provides that no modification of the existing "special relations" between Great Britain and Iraq shall have any effect upon the rights of the United States and its nationals unless the changes have been assented to by the United States. Thus any change that may be made in the relationship between Great Britain and Iraq, though affecting the rights of members of the League of Nations, will have no effect upon the rights of the United States. In other words, the United States has all the rights of a member of the league with respect to Iraq, and, in addition, is in a position to maintain those rights even after they may have been lost to league members.

One of the clauses of the Anglo-Iraq treaty of 1926 provides that the "special relations" between Great Britain and Iraq will be terminated upon the entrance of Iraq into the League of Nations. That is, the treaty provisions now regulating the relations between Great Britain and Iraq (and consequently regulating Iraq's relations with members of the League of Nations) will terminate as soon as Iraq has secured entrance to the league. After the termination of the "special relations" between Great Britain and Iraq the present tripartite convention will also cease to have effect, but one of its clauses provides that the United States will continue to enjoy most-favored-nation treatment in Iraq pending the conclusion of a treaty with regard to the future relations of the two States.

One other provision of the convention should be mentioned. That is the recognition of Iraq by the United States as "an independent state." In this connection it should be stated that among the countries that have already recognized Iraq are the following: Great Britain, France, Italy, Germany, Turkey, Persia, Norway, and Sweden.

The treaty was reported to the Senate without amendment.

The VICE PRESIDENT. The resolution of ratification will be read.

The Chief Clerk read as follows:

Resolved (two-thirds of the Senators present concurring therein), That the Senate advise and consent to the ratification of (Executive E, 71st Cong., 2d sess.) a convention and protocol with Great Britain defining the rights of the United States and its nationals with reference to Iraq, signed in London on January 9, 1930.

The VICE PRESIDENT. The question is, Will the Senate advise and consent to the ratification of the treaty? [Putting the question.] Two-thirds of the Senators present concurring therein, the resolution is adopted and the treaty is ratified.

NOMINATION OF JOHN J. PARKER

The Chief Clerk announced as next on the calendar the nomination of John J. Parker, of North Carolina, to be Justice of the Supreme Court of the United States, reported adversely.

Mr. BORAH. Mr. President, I desire, if it is practicable, to ask that a time be set for the consideration of this nomination. I understand from the Senator from North Carolina [Mr. OVERMAN] that any time will be satisfactory to him after, say, 24 hours' notice.

Mr. McNARY. Mr. President, I hope the Senator from Idaho will not ask for a vote during the present week. The calendar is quite filled, and the program is pretty well mapped out so far as the legislative work is concerned. I think some day next week might appropriately be fixed.

Mr. BORAH. I would not want to consent that the nomination go over until next week. This being Tuesday, I would be willing to have it go over until Thursday. If we could set it down for Thursday at 3 o'clock, I should think that would afford ample time.

Mr. DILL. Mr. President, I hope that will not be done, for it is absolutely necessary for me to be out of the city on Thursday. I hope the Senator will say Friday.

Mr. McNARY. Mr. President, it is the habit of a great many Senators to leave the city on Friday, and some as early as Thursday. If we can agree upon, say, 2 o'clock on Monday, I think that it will accommodate practically all the Members of this body.

The VICE PRESIDENT. Is there objection?

Mr. BORAH. Let us say at 3 o'clock on Monday, because there is another matter to which I have to attend at 2 o'clock.

Mr. McNARY. Very well.

Mr. BARKLEY. Mr. President, if this nomination is going over until next week to accommodate individual Senators who are going to be absent, I will have to suggest that I will be compelled to be absent on Monday next. I am not going to ask that it go over on my account, but if it is going over on account

of other Senators, because of their absence, I shall have to insist on the same consideration. I had not intended to make any such suggestion as that; I myself planned to be absent on Thursday, but I will forego that if the Senator from Idaho can secure an arrangement to have the nomination considered on Thursday and will postpone my intended absence to some other day.

Mr. BORAH. If we could ascertain just what would be satisfactory to all Senators, we might reach an agreement.

Mr. McNARY. May I interrupt the Senator from Idaho?

Mr. BORAH. I yield.

Mr. McNARY. May I inquire of the Senator from Kentucky, if Monday would be inconvenient for him, whether it would be agreeable to set the consideration of the nomination for next Tuesday?

Mr. BARKLEY. I do not like to put my convenience against the convenience of the Senate, but, so far as I am concerned, I have got to be away on Monday, and I can not get back until Wednesday.

Mr. SWANSON. I suggest to the Senator from Idaho that it does not require unanimous consent to proceed to the consideration of a nomination. He may give notice that at 3 o'clock on Monday he will move an executive session in order that the nomination may be considered.

Mr. BORAH. Mr. President, I feel if I can not accommodate all Senators that I should make the motion on Thursday.

Mr. McNARY. I understand the Senator from Idaho will make a motion on Thursday to proceed to the consideration of the nomination of Judge Parker on Monday at 3 o'clock?

Mr. BORAH. No; my idea was that if the nomination has to be taken up by motion there is no reason why I should not on Thursday move to take it up. I know of no way to get it up, apparently, except by motion, because it is impossible to accommodate all Senators.

Mr. McNARY. Let me appeal to the Senator from Kentucky that he agree to permit the nomination to come up at 3 o'clock on Monday. It is the opinion of a great many that the discussion will not be ended for a day or so. I am sure, in any event, the Senator can arrange a pair.

Mr. BORAH. I think, Mr. President, it is safe to say to the Senator from Kentucky that if he can be back by Wednesday he will be here in time to vote.

Mr. BARKLEY. That will be satisfactory to me. I hesitate at all to inject a consideration of my personal convenience into a question of this kind, but it has been raised by others, so I felt at liberty to do so. If I can be assured that a vote will not be had until Wednesday, I have no objection to setting Monday as the time for taking up the nomination.

Mr. BORAH. I think such an assurance can safely be given.

The VICE PRESIDENT. Is there objection?

Mr. McNARY. Under the suggestion now made the nomination will be taken up, as I understand, at 3 o'clock on Monday next.

The VICE PRESIDENT. The Senator from Oregon is correct. Is there objection? The Chair hears none, and it is so ordered.

JUDICIAL NOMINATIONS

The Chief Clerk read the nomination of Fred Cubberly to be United States attorney for the northern district of Florida.

The VICE PRESIDENT. Without objection, the nomination is confirmed, and the President will be notified.

The Chief Clerk read the nomination of Charles E. Sandall to be United States attorney for the district of Nebraska.

The VICE PRESIDENT. Without objection, the nomination is confirmed, and the President will be notified.

The Chief Clerk read the nomination of Edgar C. Snyder to be United States marshal for the District of Columbia.

The VICE PRESIDENT. Without objection, the nomination is confirmed, and the President will be notified.

COAST GUARD NOMINATION

The Chief Clerk read the nomination of John S. Merriam, jr., to be lieutenant (junior grade) (temporary) in the Coast Guard.

The VICE PRESIDENT. Without objection, the nomination is confirmed, and the President will be notified.

POSTMASTERS

The Chief Clerk proceeded to read the nominations of sundry postmasters.

Mr. PHIPPS. Mr. President, I ask unanimous consent that the post-office nominations may be confirmed en bloc, and that the President may be notified.

The VICE PRESIDENT. Without objection, the post-office nominations are confirmed en bloc, and the President will be notified.

ARMY NOMINATIONS

The Chief Clerk proceeded to read sundry nominations for the Army.

The VICE PRESIDENT. Without objection, the nominations for the Army will be confirmed en bloc, and the President will be notified.

That completes the calendar. What is the further pleasure of the Senate?

RECESS

Mr. McNARY. I move that the Senate take a recess until to-morrow at 12 o'clock.

The motion was agreed to; and (at 5 o'clock and 25 minutes p. m.) the Senate took a recess until to-morrow, Wednesday, April 23, 1930, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate April 22 (legislative day of April 21), 1930

ASSISTANT SECRETARY OF WAR

Frederick Huff Payne, of Massachusetts, to be Assistant Secretary of War.

SECRETARY IN THE DIPLOMATIC SERVICE

Edwin F. Stanton, of California, now a Foreign Service officer of class 7 and a consul, to be also a secretary in the Diplomatic Service of the United States of America.

COAST GUARD

Commander (Engineering) Michael N. Usina to be a captain (engineering) in the Coast Guard of the United States, to rank as such from January 22, 1930.

POSTMASTERS

ALABAMA

Amos N. Fain to be postmaster at Arifton, Ala., in place of A. N. Fain. Incumbent's commission expires May 6, 1930.

John S. Amos to be postmaster at Enterprise, Ala., in place of J. S. Amos. Incumbent's commission expires May 12, 1930.

John T. Williams to be postmaster at Evergreen, Ala., in place of J. T. Williams. Incumbent's commission expires May 17, 1930.

John E. Hurst to be postmaster at Leeds, Ala., in place of J. E. Hurst. Incumbent's commission expires May 12, 1930.

ARKANSAS

Homer H. Goodman to be postmaster at Cotter, Ark., in place of H. H. Goodman. Incumbent's commission expires May 12, 1930.

Rosie G. Roberts to be postmaster at Fulton, Ark., in place of R. G. Roberts. Incumbent's commission expires May 12, 1930.

Fred H. Price to be postmaster at Gurdon, Ark., in place of F. H. Price. Incumbent's commission expires May 12, 1930.

Bevie I. Abbott to be postmaster at Hampton, Ark., in place of B. I. Abbott. Incumbent's commission expires May 12, 1930.

Patrick F. Maskell to be postmaster at Hartman, Ark., in place of P. F. Maskell. Incumbent's commission expires May 12, 1930.

James H. Bass to be postmaster at Marvell, Ark., in place of J. H. Bass. Incumbent's commission expires May 12, 1930.

Carl J. Lauderdale to be postmaster at Stamps, Ark., in place of C. J. Lauderdale. Incumbent's commission expires May 12, 1930.

Juanita Barton to be postmaster at Turrell, Ark., in place of Juanita Barton. Incumbent's commission expires May 19, 1930.

Van Beavers to be postmaster at Williford, Ark., in place of Van Beavers. Incumbent's commission expires May 5, 1930.

ARIZONA

Laura E. Smith to be postmaster at Casa Grande, Ariz., in place of C. J. Wilson, resigned.

CALIFORNIA

Charles C. McGonegal to be postmaster at Bell, Calif., in place of J. F. Carroll, resigned.

Inez M. Benson to be postmaster at Calipatria, Calif., in place of I. M. Benson. Incumbent's commission expires May 20, 1930.

Harry A. Bradford to be postmaster at Hayward, Calif., in place of H. A. Bradford. Incumbent's commission expires May 17, 1930.

Percy H. Nordstrom to be postmaster at Kingsburg, Calif., in place of P. H. Nordstrom. Incumbent's commission expires May 17, 1930.

William F. Hanell to be postmaster at Patterson, Calif., in place of W. F. Hanell. Incumbent's commission expires May 12, 1930.

William L. McLaughlin to be postmaster at Sanger, Calif., in place of W. L. McLaughlin. Incumbent's commission expires May 6, 1930.

CONNECTICUT

Edwin H. Powell to be postmaster at Burnside, Conn., in place of E. H. Powell. Incumbent's commission expires May 20, 1930.

FLORIDA

Clayton P. Bishop to be postmaster at Eustis, Fla., in place of C. P. Bishop. Incumbent's commission expires May 17, 1930.

Clyde D. Prine to be postmaster at Fort Meade, Fla., in place of R. E. Coates, resigned.

Paul E. Mahan to be postmaster at Hobe Sound, Fla., in place of L. B. Boital, deceased.

Fred A. Carnell to be postmaster at Ormond, Fla., in place of F. A. Carnell. Incumbent's commission expires June 16, 1930.

Joseph J. B. Taylor to be postmaster at Panama City, Fla., in place of J. J. B. Taylor. Incumbent's commission expired December 20, 1928.

Maude M. O. Park to be postmaster at Sebastian, Fla., in place of M. M. O. Park. Incumbent's commission expired December 20, 1928.

GEORGIA

Henry L. Murphy to be postmaster at Hephzibah, Ga., in place of H. L. Murphy. Incumbent's commission expires May 20, 1930.

Lella B. Tart to be postmaster at Oliver, Ga., in place of L. B. Tart. Incumbent's commission expires May 7, 1930.

George W. Jordan to be postmaster at Whigham, Ga., in place of G. W. Jordan. Incumbent's commission expires May 17, 1930.

Eben B. Smith to be postmaster at Wrens, Ga., in place of E. B. Smith. Incumbent's commission expires May 8, 1930.

IDAHO

Charles C. Henderson to be postmaster at Kamiah, Idaho, in place of C. C. Henderson. Incumbent's commission expires May 12, 1930.

ILLINOIS

Clare E. Godfrey to be postmaster at Morris, Ill., in place of C. E. Godfrey. Incumbent's commission expires May 4, 1930.

INDIANA

Josiah J. Hostetler to be postmaster at Shipshewana, Ind., in place of J. J. Hostetler. Incumbent's commission expires May 6, 1930.

IOWA

Adna Miller to be postmaster at Danville, Iowa, in place of Adna Miller. Incumbent's commission expires May 12, 1930.

KANSAS

Charles Friskel to be postmaster at Frontenac, Kans., in place of Charles Friskel. Incumbent's commission expires May 6, 1930.

Henry Uhlenhop to be postmaster at Leonardville, Kans., in place of Henry Uhlenhop. Incumbent's commission expires May 19, 1930.

Robert C. Caldwell to be postmaster at Topeka, Kans., in place of R. C. Caldwell. Incumbent's commission expires June 23, 1930.

KENTUCKY

Yaman Watkins to be postmaster at Clarkson, Ky., in place of Yaman Watkins. Incumbent's commission expires May 6, 1930.

James H. Thompson to be postmaster at Ewing, Ky., in place of J. H. Thompson. Incumbent's commission expires May 12, 1930.

Edgar P. Catron to be postmaster at Junction City, Ky., in place of E. P. Catron. Incumbent's commission expires May 4, 1930.

Willie G. Thornbury to be postmaster at Munfordville, Ky., in place of W. G. Thornbury. Incumbent's commission expires May 6, 1930.

MAINE

Ralph R. Mathews to be postmaster at Berwick, Me., in place of R. R. Mathews. Incumbent's commission expires May 4, 1930.

Ralph B. Parker to be postmaster at Wells, Me., in place of R. B. Parker. Incumbent's commission expires May 4, 1930.

MARYLAND

Stewart Rodamer to be postmaster at Grantsville, Md., in place of Stewart Rodamer. Incumbent's commission expires May 13, 1930.

MASSACHUSETTS

Helen C. Williams to be postmaster at Beverly Farms, Mass., in place of H. C. Williams. Incumbent's commission expires May 4, 1930.

Edward E. H. Souther to be postmaster at Cohasset, Mass., in place of J. W. Earle. Incumbent's commission expired December 14, 1929.

Frank D. Babcock to be postmaster at Haverhill, Mass., in place of F. D. Babcock. Incumbent's commission expires May 4, 1930.

MICHIGAN

Clifford L. Slocum to be postmaster at Addison, Mich., in place of C. L. Slocum. Incumbent's commission expires May 4, 1930.

Grace A. Grinnell to be postmaster at Centerville, Mich., in place of G. A. Grinnell. Incumbent's commission expires May 20, 1930.

Ruth F. Hastings to be postmaster at Engadine, Mich., in place of R. F. Hastings. Incumbent's commission expires May 14, 1930.

Eldon E. Baker to be postmaster at Flint, Mich., in place of E. E. Baker. Incumbent's commission expires May 14, 1930.

William Trebilcock to be postmaster at Ishpeming, Mich., in place of William Trebilcock. Incumbent's commission expires May 4, 1930.

Elmer L. Dalton to be postmaster at Leland, Mich., in place of E. L. Dalton. Incumbent's commission expires May 20, 1930.

Floyd B. Gates to be postmaster at Mesick, Mich., in place of F. B. Gates. Incumbent's commission expires May 4, 1930.

Florence C. Curtis to be postmaster at Whittemore, Mich., in place of F. C. Curtis. Incumbent's commission expires May 14, 1930.

MISSOURI

Frank R. Evans to be postmaster at Armstrong, Mo., in place of F. R. Evans. Incumbent's commission expires May 12, 1930.

Alfred L. Jenkins to be postmaster at Chula, Mo., in place of A. L. Jenkins. Incumbent's commission expires May 14, 1930.

Walter E. Pearson to be postmaster at Clarksdale, Mo., in place of W. E. Pearson. Incumbent's commission expires May 12, 1930.

Walter S. Johnston to be postmaster at Crocker, Mo., in place of W. S. Johnston. Incumbent's commission expires May 14, 1930.

Herman H. Reick to be postmaster at Independence, Mo., in place of H. H. Reick. Incumbent's commission expires May 4, 1930.

Hattie Biggs to be postmaster at Neelyville, Mo., in place of Hattie Biggs. Incumbent's commission expires May 14, 1930.

Victor N. Romley to be postmaster at Orrick Mo., in place of V. N. Romley. Incumbent's commission expires May 12, 1930.

Paul P. Groh to be postmaster at Peculiar, Mo., in place of P. P. Groh. Incumbent's commission expires May 4, 1930.

Lavinia B. Jones to be postmaster at Pilot Grove, Mo., in place of L. B. Jones. Incumbent's commission expires April 28, 1930.

MONTANA

Arthur T. Ruehrwein to be postmaster at Columbus, Mont., in place of A. T. Ruehrwein. Incumbent's commission expires May 4, 1930.

David Craig to be postmaster at Conrad, Mont., in place of David Craig. Incumbent's commission expires May 4, 1930.

NEBRASKA

Walter Nowka to be postmaster at Glenvil, Nebr., in place of Walter Nowka. Incumbent's commission expires May 5, 1930.

Vaclav Randa to be postmaster at Verdigre, Nebr., in place of Vaclav Randa. Incumbent's commission expired April 20, 1930.

NEW YORK

William E. Cartwright to be postmaster at Amagansett, N. Y., in place of W. E. Cartwright. Incumbent's commission expires May 12, 1930.

William M. Pinney to be postmaster at Arcade, N. Y., in place of W. M. Pinney. Incumbent's commission expires May 12, 1930.

C. Ransom Phelps to be postmaster at Camden, N. Y., in place of C. R. Phelps. Incumbent's commission expires May 4, 1930.

Annabel Wood to be postmaster at Hilton, N. Y., in place of Annabel Wood. Incumbent's commission expires May 12, 1930.

Thomas W. Crane to be postmaster at Locust Valley, N. Y., in place of T. W. Crane. Incumbent's commission expires May 4, 1930.

Charles D. Overacre to be postmaster at Manchester, N. Y., in place of C. D. Overacre. Incumbent's commission expires May 4, 1930.

H. Courtland King to be postmaster at Orient, N. Y., in place of H. C. King. Incumbent's commission expires May 12, 1930.

Annie S. Prince to be postmaster at Peconic, N. Y., in place of A. S. Prince. Incumbent's commission expires May 12, 1930.

Earl V. Jenks to be postmaster at Perry, N. Y., in place of E. V. Jenks. Incumbent's commission expires May 6, 1930.

John B. Read to be postmaster at Poland, N. Y., in place of J. B. Read. Incumbent's commission expired April 13, 1930.

Richard I. Gates to be postmaster at Redwood, N. Y., in place of R. I. Gates. Incumbent's commission expires May 4, 1930.

Anna M. Auch Moedy to be postmaster at Rosendale, N. Y., in place of A. M. Auch Moedy. Incumbent's commission expires May 14, 1930.

Albert D. Ritchie to be postmaster at Saratoga Springs, N. Y., in place of A. D. Ritchie. Incumbent's commission expires May 14, 1930.

Theodore C. Upton to be postmaster at Spencerport, N. Y., in place of T. C. Upton. Incumbent's commission expires May 12, 1930.

Harry C. McNamara to be postmaster at Valatie, N. Y., in place of H. C. McNamara. Incumbent's commission expires May 14, 1930.

Ruth E. Barlow to be postmaster at Wassaic, N. Y., in place of R. E. Barlow. Incumbent's commission expires May 20, 1930.

S. Mildred Taylor to be postmaster at Westbury, N. Y., in place of S. M. Taylor. Incumbent's commission expires April 28, 1930.

NORTH CAROLINA

George W. Lance to be postmaster at Fletcher, N. C., in place of G. W. Lance. Incumbent's commission expires May 12, 1930.

Wiley C. Ellis to be postmaster at Garysburg, N. C., in place of W. C. Ellis. Incumbent's commission expires May 12, 1930.

William B. White to be postmaster at Norlina, N. C., in place of W. B. White. Incumbent's commission expires May 18, 1930.

NORTH DAKOTA

Theodore H. Scholz to be postmaster at Beulah, N. Dak., in place of T. H. Scholz. Incumbent's commission expires May 4, 1930.

Edward F. Hamilton to be postmaster at Cavalier, N. Dak., in place of E. F. Hamilton. Incumbent's commission expires May 4, 1930.

Bessie G. George to be postmaster at Van Hook, N. Dak., in place of B. G. George. Incumbent's commission expires May 4, 1930.

Grace G. Berkness to be postmaster at Wolford, N. Dak., in place of G. G. Berkness. Incumbent's commission expires May 12, 1930.

OHIO

Arthur L. Behymer to be postmaster at Cincinnati, Ohio, in place of A. L. Behymer. Incumbent's commission expires June 14, 1930.

Lewis E. Clawson to be postmaster at Middle Point, Ohio, in place of L. E. Clawson. Incumbent's commission expires May 20, 1930.

Hilton C. Hart to be postmaster at New Waterford, Ohio, in place of H. C. Hart. Incumbent's commission expires May 14, 1930.

William M. Freeman to be postmaster at Otway, Ohio, in place of W. M. Freeman. Incumbent's commission expires April 28, 1930.

Harry W. Randels to be postmaster at West Unity, Ohio, in place of H. W. Randels. Incumbent's commission expires May 12, 1930.

OKLAHOMA

Ceaf W. Ramsey to be postmaster at Beggs, Okla., in place of C. W. Ramsey. Incumbent's commission expires May 4, 1930.

Russell E. Dickerson to be postmaster at Braman, Okla., in place of R. E. Dickerson. Incumbent's commission expires May 4, 1930.

Robert R. Sutton to be postmaster at Claremore, Okla., in place of R. R. Sutton. Incumbent's commission expires May 4, 1930.

Agnes L. Stahlheber to be postmaster at Geary, Okla., in place of A. L. Stahlheber. Incumbent's commission expires May 20, 1930.

Bert A. Hawley to be postmaster at Leedey, Okla., in place of B. A. Hawley. Incumbent's commission expires May 6, 1930.

Anna Lynde to be postmaster at Okarche, Okla., in place of Anna Lynde. Incumbent's commission expires May 4, 1930.

Frank R. Holt to be postmaster at Osage, Okla., in place of F. R. Holt. Incumbent's commission expired March 22, 1930.

Joe E. Ventress to be postmaster at Pauls Valley, Okla., in place of J. E. Ventress. Incumbent's commission expires May 12, 1930.

John L. Coyle to be postmaster at Rush Springs, Okla., in place of J. L. Coyle. Incumbent's commission expires May 20, 1930.

Hiram H. Snow to be postmaster at Sand Springs, Okla., in place of H. H. Snow. Incumbent's commission expires May 4, 1930.

Lester A. Presson to be postmaster at Sulphur, Okla., in place of L. A. Presson. Incumbent's commission expires May 12, 1930.

PENNSYLVANIA

Permelia H. Young to be postmaster at Jefferson, Pa., in place of P. H. Young. Incumbent's commission expired April 14, 1930.

Edward N. Dubs to be postmaster at New Hope, Pa., in place of E. N. Dubs. Incumbent's commission expires May 8, 1930.

Herman Raithel to be postmaster at Smithton, Pa., in place of Herman Raithel. Incumbent's commission expires May 4, 1930.

George W. Brelsford to be postmaster at South Langhorne, Pa., in place of G. W. Brelsford. Incumbent's commission expires May 14, 1930.

William E. Vance to be postmaster at Unity, Pa., in place of W. E. Vance. Incumbent's commission expires May 6, 1930.

Ruth Roberts to be postmaster at Vintondale, Pa., in place of Ruth Roberts. Incumbent's commission expires May 6, 1930.

SOUTH CAROLINA

Hobson B. Taylor to be postmaster at Kershaw, S. C., in place of H. B. Taylor. Incumbent's commission expires May 12, 1930.

Clifton O. Crosby to be postmaster at Walterboro, S. C., in place of C. O. Crosby. Incumbent's commission expires May 12, 1930.

SOUTH DAKOTA

Mabel M. Linker to be postmaster at Ardmore, S. Dak., in place of M. M. Linker. Incumbent's commission expires May 12, 1930.

Jessie Norton to be postmaster at Armour, S. Dak., in place of Jessie Norton. Incumbent's commission expires May 12, 1930.

Charles H. McCrossen to be postmaster at Ashton, S. Dak., in place of C. H. McCrossen. Incumbent's commission expires May 12, 1930.

Lester W. Button to be postmaster at Bradley, S. Dak., in place of L. W. Button. Incumbent's commission expires May 4, 1930.

Arthur H. Siem to be postmaster at Clark, S. Dak., in place of A. H. Siem. Incumbent's commission expires May 12, 1930.

William A. Hodson to be postmaster at Cresbard, S. Dak., in place of W. A. Hodson. Incumbent's commission expires May 12, 1930.

Emma Peterson to be postmaster at Draper, S. Dak., in place of Emma Peterson. Incumbent's commission expires May 4, 1930.

Jennie Dodge to be postmaster at Egan, S. Dak., in place of Jennie Dodge. Incumbent's commission expires May 12, 1930.

Lulu Turner to be postmaster at Ethan, S. Dak., in place of Lulu Turner. Incumbent's commission expires May 4, 1930.

Paul W. Lambert to be postmaster at Fairfax, S. Dak., in place of P. W. Lambert. Incumbent's commission expires May 4, 1930.

Otto W. Muchow to be postmaster at Hartford, S. Dak., in place of C. W. Muchow. Incumbent's commission expires May 12, 1930.

Gottlieb J. Walth to be postmaster at Hosmer, S. Dak., in place of G. J. Walth. Incumbent's commission expires May 12, 1930.

Richard A. Hummel to be postmaster at Hot Springs, S. Dak., in place of R. A. Hummel. Incumbent's commission expires May 12, 1930.

Harold French to be postmaster at Letcher, S. Dak., in place of Harold French. Incumbent's commission expires May 12, 1930.

Alice S. Esget to be postmaster at Lily, S. Dak., in place of A. S. Esget. Incumbent's commission expires May 12, 1930.

William H. James to be postmaster at Martin, S. Dak., in place of W. H. James. Incumbent's commission expires May 4, 1930.

Frank W. Farrington to be postmaster at New Effington, S. Dak., in place of F. W. Farrington. Incumbent's commission expires May 12, 1930.

Gertrude Snell to be postmaster at Tulare, S. Dak., in place of Gertrude Snell. Incumbent's commission expires May 12, 1930.

Amandus A. Breihan to be postmaster at Tyndall, S. Dak., in place of A. A. Breihan. Incumbent's commission expires May 12, 1930.

TENNESSEE

Woodford C. Monroe to be postmaster at Celina, Tenn., in place of W. C. Monroe. Incumbent's commission expires May 14, 1930.

Fannie J. Latta to be postmaster at Somerville, Tenn., in place of F. J. Latta. Incumbent's commission expires May 12, 1930.

TEXAS

Bessie F. Hefley to be postmaster at Cameron, Tex., in place of B. F. Hefley. Incumbent's commission expires May 5, 1930.

George P. Harden to be postmaster at Groom, Tex., in place of G. P. Harden. Incumbent's commission expires May 17, 1930.

Comodore V. Varner to be postmaster at Milford, Tex., in place of C. V. Varner. Incumbent's commission expires May 5, 1930.

Lucy A. Carhart to be postmaster at South San Antonio, Tex., in place of L. A. Carhart. Incumbent's commission expires May 12, 1930.

John W. White to be postmaster at Uvalde, Tex., in place of J. W. White. Incumbent's commission expires May 5, 1930.

VIRGINIA

Claibourne W. Beattie to be postmaster at Chilhowie, Va., in place of C. W. Beattie. Incumbent's commission expires May 4, 1930.

Francis P. Landon to be postmaster at Hopewell, Va., in place of F. P. Landon. Incumbent's commission expires May 4, 1930.

Jessie H. Cox to be postmaster at Washington, Va., in place of J. H. Cox. Incumbent's commission expires May 4, 1930.

Harry C. Stouffer to be postmaster at Winchester, Va., in place of H. C. Stouffer. Incumbent's commission expires May 4, 1930.

WASHINGTON

Bert L. McCarty to be postmaster at Battle Ground, Wash., in place of B. L. McCarty. Incumbent's commission expires May 5, 1930.

Frank G. Sanford to be postmaster at Bucoda, Wash., in place of F. G. Sanford. Incumbent's commission expires May 18, 1930.

Walter W. Shore to be postmaster at Farmington, Wash., in place of W. W. Shore. Incumbent's commission expires May 5, 1930.

Rees B. Williams to be postmaster at Ilwaco, Wash., in place of R. B. Williams. Incumbent's commission expires May 5, 1930.

Ray E. Simons to be postmaster at Leavenworth, Wash., in place of R. E. Simons. Incumbent's commission expires May 12, 1930.

Millard E. Meloy to be postmaster at Winlock, Wash., in place of M. E. Meloy. Incumbent's commission expires May 5, 1930.

WISCONSIN

Frank E. Shults to be postmaster at Baraboo, Wis., in place of F. E. Shults. Incumbent's commission expires May 4, 1930.

Oliver R. Weinandy to be postmaster at Cochrane, Wis., in place of O. R. Weinandy. Incumbent's commission expires May 4, 1930.

William H. Goldthorpe to be postmaster at Cuba City, Wis., in place of W. H. Goldthorpe. Incumbent's commission expires May 4, 1930.

Samuel M. Hogenson to be postmaster at Ephriam, Wis., in place of S. M. Hogenson. Incumbent's commission expires May 20, 1930.

Hazel A. Fritchen to be postmaster at Franksville, Wis., in place of H. A. Fritchen. Incumbent's commission expires May 5, 1930.

James C. Taylor to be postmaster at Gilman, Wis., in place of J. C. Taylor. Incumbent's commission expires May 4, 1930.

James N. Godsell to be postmaster at Hales Corners, Wis., in place of J. N. Godsell. Incumbent's commission expires May 20, 1930.

Henry A. Elmer to be postmaster at Maribel, Wis., in place of H. A. Elmer. Incumbent's commission expires May 4, 1930.

Edward Stackman to be postmaster at Ontario, Wis., in place of Edward Stackman. Incumbent's commission expires May 4, 1930.

Alvin E. Hafer to be postmaster at Roberts, Wis., in place of A. E. Hafer. Incumbent's commission expires May 4, 1930.

Andrew Bock to be postmaster at Stockholm, Wis., in place of Andrew Bock. Incumbent's commission expires May 5, 1930.

Harry Bradley to be postmaster at Taylor, Wis., in place of Harry Bradley. Incumbent's commission expires April 23, 1930.

George E. Bogrand to be postmaster at Wausaukee, Wis., in place of G. E. Bogrand. Incumbent's commission expires May 4, 1930.

Winfield J. Kyes to be postmaster at White Lake, Wis., in place of W. J. Kyes. Incumbent's commission expires May 4, 1930.

Thomas E. Noyes to be postmaster at Winter, Wis., in place of T. E. Noyes. Incumbent's commission expires May 5, 1930.

CONFIRMATIONS

Executive nominations confirmed by the Senate April 22 (legislative day of April 21), 1930

UNITED STATES ATTORNEYS

Fred Cubberly, northern district of Florida.

Charles E. Sandall, district of Nebraska.

UNITED STATES MARSHAL

Edgar C. Snyder, District of Columbia.

COAST GUARD

John S. Merriman, jr., to be lieutenant (junior grade) (temporary).

APPOINTMENTS IN THE ARMY

Ralph William Mohri to be second lieutenant veterinary corps.

Leonard George Tate Perkins to be second lieutenant, Medical Administrative Corps.

Harold Lincoln Gard to be second lieutenant, Medical Administrative Corps.

Joe Edward McKnight to be second lieutenant, Medical Administrative Corps.

APPOINTMENT, BY TRANSFER, IN THE ARMY

First Lieut. Tyree Rivers Horn to Signal Corps.

PROMOTIONS IN THE ARMY

Osgood Cook McIntyre to be captain, Field Artillery.

James Emerson Bush to be captain, Field Artillery.

Harrison Wells Davison to be first lieutenant, Cavalry.

Thomas Clagett Wood, jr., to be first lieutenant, Field Artillery.

William Donaldson Fleming to be major, Medical Corps.

Samuel Demetrius Avery to be major, Medical Corps.

William Robert Lewis Reinhardt to be major, Medical Corps.

Merritt Gartley Ringer to be captain, Medical Corps.

POSTMASTERS

CALIFORNIA

Frank J. Biglow, Antioch.

Oscar E. Bailey, Avalon.

Christian F. Richter, Auburn.

Joseph M. Hamilton, Crescent City.

Nels S. Petersen, Del Rey.

John L. Pope, Lower Lake.

Miriam I. Paine, Mariposa.

Philip G. Scadden, Nevada City.

Charles H. Silva, Newcastle.

John Z. Shelton, Oroville.

George E. Cross, Puente.

Shirley S. Abeel, Sebastopol.

DELAWARE

Robert E. Harrington, Felton.

William H. Rogers, Frederica.

FLORIDA

Effie M. Robinson, Coleman.

GEORGIA

Edwin K. Large, Atlanta.

Eldon A. McCollum, Baconton.

John P. Herring, Climax.

Mary L. Ellis, Experiment.

Franklin W. Withoft, Fort Valley.

Robert L. Williams, Griffin.

Jefferson D. Stalvey, Lake Park.

Emma S. Brindle, Surrency.

IOWA

Guy T. Hardenburgh, Baxter.

Lou A. Brink, Clarence.

Joseph H. Dickens, Diagonal.

Lester J. Garrett, Early.

George E. Gates, Edgewood.

Clarissa A. Peck, Lawler.

Laura M. Smith, Montour.

John H. Taylor, New Sharon.

Ida G. Schloeman, Norway.

George H. Kinney, Stacyville.

Glenn F. Shortess, Traer.
Frederick W. Steele, Walker.
Boyd W. Smith, Waukon.

KENTUCKY

Walter Robins, Brodhead.
Henry I. Neely, Hazel.
Luther G. Bernard, Jamestown.
Quay C. Quigg, Livermore.
Mattie B. Griffin, Mount Vernon.
Robert H. Ledford, Paint Lick.
Albert R. Hornback, Sonora.

MARYLAND

John M. Reed, jr., Chesapeake City.
Herbert C. Leighton, Mountain Lake Park.
Frederick M. Gambrill, White Marsh.

MASSACHUSETTS

Harriett L. Green, East Brookfield.
Ursula G. Dehey, Hatfield.
Samuel F. Brown, Indian Orchard.
Delano E. Chase, Linwood.

MISSOURI

Kinzie K. Gittings, Chilhowee.
Vaughn Hammitt, Curryville.
Archie C. Witt, Gower.
Dwight A. Dawson, Lowry City.
John H. Fisher, Sullivan.

MONTANA

Harry D. Crandall, Bainville.
Pauline Polutnik, Belt.
Mary J. Tasa, Flaxville.
Blanche E. Breckenridge, Grassrange.
Francis P. Blair, Richey.

NEW JERSEY

Charles H. Conner, Bayonne.
George E. Obodyke, Landing.
Stephen H. Dayton, Mountain Lakes.
Edward W. Vanaman, Newfield.
Luther J. Higinson, Oradell.
Olla Mehlenbeck, Raritan.
Harry J. Manning, South Plainfield.

NEW MEXICO

Elizabeth A. Gumm, Carrizozo.
Charles Neustadt, Grant.

NEW YORK

Harold F. Kimball, Ballston Lake.
George E. Rockwood, Bombay.
Walter Carr, Chappaqua.
Daphne M. Brehme, Greenlawn.
C. Homer Hook, Greenville.
Sara H. Scott, Hague.
George P. Baumer, Kendall.
Clinton D. Drumm, Malverne.
Theodore W. Cook, Montauk.
Chester J. Hinman, Palenville.
George M. Grant, Parksville.
James R. Rodman, Port Ewen.
Sutherland Lent, Sloatsburg.
Howard M. Brush, Smithtown Branch.

NORTH DAKOTA

Howard S. Powlison, Wheatland.

PENNSYLVANIA

Arthur A. Butz, Alburtis.
J. Russell Clayton, Bryn Athyn.
John R. Diemer, Catawissa.
John W. Aumiller, Eagles Mere.
William H. Dickinson, Factoryville.
Benton C. Myers, Fayetteville.
Harvey L. Sterner, Gardners.
David K. Mead, Glenfield.
Hattie C. Liston, Isabella.
Claire A. Bower, Mather.
Katherine A. White, Mildred.
Archibald E. Patterson, Orangeville.
Charles A. Graeff, Schuylkill Haven.
Emma A. Smith, Seelyville.
Harry F. Groff, Seven Valleys.
Harry P. Medland, Waymart.

RHODE ISLAND

Lloyd B. Langworthy, Ashaway.

SOUTH CAROLINA

Dewey Stephens, Dillon.
William B. Gross, Holly Hill.
Stephen E. Leverette, Iva.
Harris P. DuBose, Jefferson.
Louis Stackley, Kingstree.
Horace A. White, Simpsonville.

TENNESSEE

Charles L. Bitner, Chuckey.
Glenn C. Hodges, Cowan.
Thomas W. Thompson, Mount Juliet.

UTAH

Frank M. Shafer, Moab.

VIRGINIA

Edward A. Lindsey, Boyce.
Mary F. Cunningham, Fort Myer.
Ruth E. Orrison, Hamilton.
Lilly G. Cook, Madison.
Robert E. Newman, Manassas.
James W. Moore, Rapidan.
Mandly K. Payne, Remington.
James R. Miller, Strasburg.

WASHINGTON

Fanny I. Jennings, Spangle.

WISCONSIN

Orrin W. Groot, Elmwood.
Victor F. Platta, Hatley.
Halvor Thorson, Hawkins.
Frank E. Munroe, Ladysmith.
John Lindow, Manawa.
Carl E. Reichenbach, Merrillan.
Milton R. Stanley, Shawano.
John H. Zahrt, Sparta.
Ernest L. Messer, Unity.
John E. Himley, Wabeno.

HOUSE OF REPRESENTATIVES

TUESDAY, April 22, 1930

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

O Thou who dost lift us out of our mistakes and dost bear us beyond the blots and stains of wrongdoing, hear our prayer. O hear us! Again we are safely folded in the divine arms from whose embrace no peril can permanently separate us; we thank Thee. We are so grateful that we live in a world that is full of God. Thy wisdom, glory, and splendor are nearer than we think. May we feel their wonder. The lights and the shades, the murmurs and the silences, these all are voices that come and go at Thy call. O what a surplus of God everywhere. With such a God, who is our Father forevermore, let us be content to fulfill the divine ends of our beings in Thy good time and way. Again we ask Thee to hear us. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Latta, one of his secretaries, who also informed the House that on the following date the President approved and signed a joint resolution of the House of the following title:

April 21, 1930:

H. J. Res. 171. Joint resolution providing for the observance and commemoration of the one hundred and seventy-fifth anniversary of the Battle of the Monongahela, and establishing a commission to be known as the United States Battle of the Monongahela Commission.

VETO MESSAGE OF THE PRESIDENT—COINAGE OF SILVER 50-CENT PIECES IN COMMEMORATION OF SEVENTY-FIFTH ANNIVERSARY OF THE GADSDEN PURCHASE

The SPEAKER. The business before the House is, Will the House, on reconsideration, pass the bill H. R. 2029, the objections of the President to the contrary notwithstanding?

Mr. PERKINS. Mr. Speaker, I ask recognition for an hour, and I yield myself 10 minutes.

Mr. BLAND. Will the gentleman yield?

Mr. PERKINS. Yes.

Mr. BLAND. Does not the gentleman think that on an important matter of this kind there should be a quorum present to hear the discussion? A quorum is going to vote on the measure.

Mr. PERKINS. Any Member of the House has the right to demand a quorum.

Mr. BLAND. Mr. Speaker, I make the point of order of no quorum.

The SPEAKER. The gentleman from Virginia makes the point of order that there is no quorum present. Evidently there is no quorum present.

Mr. TILSON. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 23]

Auf der Heide	Finley	Leech	Shreve
Beedy	Gambrill	Linthicum	Sinclair
Black	Garrett	McClintock, Okla.	Sirovich
Blackburn	Gifford	McDuffie	Sloan
Britten	Griffin	McKeown	Smith, Idaho
Brunner	Hammer	McMillan	Smith, W. Va.
Carley	Hartley	Mead	Snow
Celler	Hopkins	Montague	Spearing
Chase	Hudspeth	Nelson, Wis.	Steagall
Chindblom	Hull, Wis.	Norhall	Stedman
Clark, Md.	Igoe	Norton	Stevenson
Cooke	James	O'Connell, R. I.	Sullivan, Pa.
Cramton	Jeffers	Owen	Swanson
Cross	Johnson, Ill.	Palmisano	Taylor, Colo.
Crowther	Johnson, Tex.	Quayle	Tucker
Curry	Kading	Rainey, Henry T.	Underwood
Davis	Kemp	Rowbottom	White
Dempsey	Kennedy	Sabath	Whitehead
Dickinson	Kerr	Sandlin	Whitley
Doughton	Kunz	Schafer, Wis.	Wurzbach
Drewry	Kvale	Short, Mo.	Wyant

The SPEAKER. Three hundred and forty-three Members have answered to their names, a quorum.

Mr. TILSON. Mr. Speaker, I move to dispense with further proceedings under the call.

The motion was agreed to.

Mr. PERKINS. Mr. Speaker and Members of the House, the bill (H. R. 2029) introduced by the gentleman from Texas [Mr. HUDSPETH] is a bill for the issue of ten thousand 50-cent memorial coins for the purpose of commemorating the settlement of the differences between the United States of America and the Republic of Mexico by the purchase known as the Gadsden purchase.

On the 4th of July of this year the seventy-fifth anniversary of that event will take place at El Paso, Tex., and other places along the border between the Republics.

There are two ways of looking at these coinage bills. One is that events of great national or international importance are very properly commemorated by the coinage of coins, and their sale—usually at a premium—in the particular sections interested in the coins. There have been before Congress in the last 10 years at least 15 different coinage bills. At the present time there are five bills of a similar nature pending. Inasmuch as H. R. 2029 has been vetoed by the President, it seemed proper that we have an expression of the House as to whether or not we should continue to report out of the Committee on Coinage, Weights, and Measures bills of this character.

The Treasury Department has a consistent policy against issuing commemorative coins. The position taken is that we ought not to interfere with our regular coinage for the purpose of commemorating some particular or special event; that such coinage is easily subject to being misused and counterfeited, and that all together it is something that out not to be done. The testimony before the committee is that, so far as any witness had knowledge, no coin issued for commemorative purposes has ever been counterfeited.

The other side is this, but our coinage ought to be regular; it ought not to be changed on varying occasions and that there ought to be a consistent and definite policy which the Treasury Department can follow.

The Secretary of the Treasury has written a letter to the chairman of the committee which explains the Treasury position fully. The letter contains a statement showing the coins that have been authorized heretofore and the probable return to the mint. I will ask that the letter be read in my time.

The SPEAKER. Without objection, the Clerk will read the letter.

There was no objection.

The Clerk read as follows:

TREASURY DEPARTMENT,
Washington, January 31, 1930.

DEAR MR. CHAIRMAN: I have for acknowledgement your letter of January 29, transmitting a copy of H. R. 2029, a bill introduced by Mr. HUDSPETH, of Texas, to authorize the coinage of 50-cent pieces in com-

memoration of the seventy-fifth anniversary of the Gadsden purchase, and asking for an expression of the views of this department on this proposed legislation.

In responding to your request for a report on this bill I feel that the department can do no better than to restate its position in regard to special coins. Objection is made for the following reasons: Since 1920 15 acts of Congress have been passed, authorizing the issue of special coins. By the authorization of the issue of these 15 special coins within 10 years, Congress has permitted a new design for the half dollar at an average of one every eight months.

Section 3510 of the Revised Statutes provides that " * * * no change in the design or die of any coin shall be made oftener than once in twenty-five years from and including the first adoption of the design, model, die, or hub for the same coin * * *." The department considers that this enactment of Congress enunciated a wise general public policy, adopted after due deliberation.

Upon practically every occasion when the department has been invited to express an opinion upon special coin issues it has recommended disapproval of the passage of the bills. Upon a vigorous appeal before the Committee on Coinage, Weights, and Measures, when the bill was pending for the issue of the Bennington coin, the committee agreed to co-operate with the department in discouraging the issue of special coins. The committee went on record at that time in its report in the following terms:

"The committee desires at this time to go on record as not favoring legislation of this class because of the great number of bills introduced to commemorate events of local and not national interests, and because such quantities of the coins so authorized have had to be taken back by the Government, melted, and reminted."

Aside from the very dangerous and objectionable policy of diverting coinage from its original use in trade, we are imposing upon the mints, and therefore upon the Government, an unnecessary and wasteful practice. We are required to invest money in metal for unnecessary coinage, and we are entirely defeating the original idea that coinage should be on Government account only. We are imposing an unnecessary burden on the manufacturing plants charged with the preparation of coinage needed in business and are diverting the activities of the mints, intended to supply the needs of all of the people, in order to meet the demands of a few of the people. The department is now endeavoring to meet the coinage requirements of the country with the same number of mints that we had 30 years ago. This can only be done by avoiding every unnecessary undertaking and confining the work of the mints to the legitimate demands of the enormous business of the country for regular coinage.

For your confidential information I am appending a table which indicates the number of special coins authorized, coined, and then returned to the mints to be destroyed.

	Authorized	Coined	Returned to the mints
Columbian Exposition.....	5,000,000	5,000,000	2,501,700
Lewis and Clark.....	250,000	60,000	40,003
Panama-Pacific.....	200,000	60,000	32,866
McKinley Memorial.....	100,000	30,000	10,023
Landing of Pilgrims.....	300,000	300,000	80,000
Missouri Centennial.....	250,000	50,000	29,600
Grant Memorial.....	250,000	100,000	28,400
Huguenot-Walloon.....	300,000	142,000	55,000
California seventy-fifth anniversary.....	300,000	150,000	63,606
Battle of Bennington.....	40,000	40,000	11,892
Fort Vancouver Centennial.....	300,000	50,000	35,000
Sesquicentennial.....	1,000,000	1,000,000	420,000
Stone Mountain.....	5,000,000	2,134,000	(?)

¹ 55,000 Huguenot coins placed in circulation at face value.

² It is understood that large numbers of Stone Mountain coins are on hand, unsold, at the banks.

I have gone into this subject at some length in the hope that you will consent to assist us by intercepting the passage of further legislation of this character.

Very truly yours,

A. W. MELLON,
Secretary of the Treasury.

HON. RANDOLPH PERKINS,
Chairman, Committee on Coinage, Weights, and Measures,
House of Representatives, Washington, D. C.

Mr. PERKINS. Our colleague, the gentleman from Texas [Mr. HUDSPETH], sent his check to cover the entire amount of the coinage provided for in this particular bill, and to include also the cost to the Treasury of minting the coins, so that in this case there can be no possible loss to the Treasury.

The matter has another aspect. There are now pending five bills for the coinage of commemorative coins. Our colleague, the gentleman from Ohio [Mr. FITZGERALD], has introduced a bill to commemorate the surrender of Cornwallis by a 50-cent coin. After the introduction of the bill Mr. FITZGERALD wrote a letter to the Treasury Department requesting information as

to the cost of minting, and seeking other information, the answer to which letter I will read:

MARCH 18, 1930.

Hon. ROY G. FITZGERALD,

House of Representatives, Washington, D. C.

DEAR CONGRESSMAN FITZGERALD: I have for acknowledgment your letter of March 8th relative to the proposed issue of 50-cent pieces for the sesquicentennial of the surrender of Cornwallis at Yorktown.

The cost of manufacturing 200,000 commemorative half dollars would be as follows:

Coinage charges	\$1,500.00
Silver, at the March 15, 1930, market rate of 41 cents per fine ounce	29,660.00
Copper for alloy, at the current market price of 18 cents per avoirdupois pound	99.36

If the department can serve you further, please do not hesitate to call upon us.

Respectfully,

A. W. MELLON,
Secretary of the Treasury.

Mr. FITZGERALD has figured that if these 200,000 coins be actually issued and remained in circulation the profit to the Treasury would be something like \$68,740.64, due to the difference in the cost of the silver in the coins and the value at which the Treasury put the coins out.

The SPEAKER. The gentleman from New Jersey has consumed 10 minutes.

Mr. PERKINS. Mr. Speaker, I yield myself five additional minutes.

Mr. BLAND. Will the gentleman yield?

Mr. PERKINS. Yes.

Mr. BLAND. I want to ask the gentleman if I understand that if the Treasury Department coined the 200,000 50-cent pieces under the bill authorizing the coinage of those commemorative coins there would be a profit to the Treasury of \$68,000? Was that the statement made by the gentleman?

Mr. PERKINS. There would be that profit if the coins remained in the possession of the public, but if the coins went back to the Treasury Department there would not be that profit.

Mr. BLAND. Is it not a fact that in every bill that is now being reported from the Committee on Coinage, Weights, and Measures there is a provision that those coins shall be taken from the Treasury Department and that no part shall go back to the Treasury?

Mr. PERKINS. That is largely true. The committee has required the proponents of the bills to furnish a guarantee by way of a bank guarantee, or otherwise, that all the coins would be taken, but, of course, there is no method by which we can prevent the coins from eventually getting back to the Treasury.

Mr. BLAND. May I ask the gentleman one more question? Did I understand the gentleman to say that the evidence before his committee showed that these commemorative coins had never been counterfeited?

Mr. PERKINS. So far as the evidence went, it tended to show that there had never been any counterfeiting of a commemorative coin.

Mr. BLAND. Was not that statement made before the committee, and did not the Treasury fail to meet the statement?

Mr. PERKINS. The statement was made before the committee by a coin collector, but I can not say whether the Treasury met the statement or not.

Mrs. ROGERS. Will the gentleman yield?

Mr. PERKINS. I yield to the lady from Massachusetts.

Mrs. ROGERS. It is my recollection that the Assistant Director of the Mint, before your committee, stated twice in answer to that question that a special coin has never been counterfeited.

Mr. WILLIAM E. HULL. Will the gentleman yield?

Mr. PERKINS. I yield to the gentleman from Illinois.

Mr. WILLIAM E. HULL. I would like to ask the gentleman if it is not true that about half of these coins have been returned to the Treasury?

Mr. PERKINS. It is true that the issuing of these coins has usually been a great disappointment to the proponents.

Mr. WILLIAM E. HULL. And about half of them have been returned?

Mr. PERKINS. More than half have been returned.

Mr. Speaker, I reserve the balance of my time and yield one minute to the gentleman from Massachusetts [Mr. CONNERY].

Mr. CONNERY. Mr. Speaker, ladies and gentlemen of the House, apropos of the veterans' legislation which has been before the House for the past few days, I would like to call the attention of the Members to the fact that in the gallery to-day we have one of the finest officers who ever commanded

a combat division, Maj. Gen. Clarence R. Edwards, former commander of the Twenty-sixth (Yankee) Division. [Applause, the Members rising.]

Mr. PERKINS. Mr. Speaker, I yield five minutes to the gentleman from Texas [Mr. WILLIAMS].

Mr. WILLIAMS. Mr. Speaker, ladies and gentlemen of the House, as stated by the chairman of the committee, this bill is one introduced by the gentleman from Texas [Mr. HUNSPETH] asking for legislation that the mint shall coin ten thousand 50-cent coins to commemorate the historic event known as the Gadsden purchase.

In the interest of this bill, owing to the fact that my colleague was not permitted to be present on account of sickness, I appeared before the committee, and when the representative of the Treasury Department made the statement that one objection to the issuance of these coins was the fact that it would encourage counterfeiting, I asked him the direct question if he had an instance on record where one of these coins had been counterfeited. He said that he had not.

In reading the President's message giving his reasons for vetoing this bill, I wish to call your attention especially to the statement—

During the past 10 years 15 such special acts providing for minting commemorative coins have been passed, an average of one each eight months, an aggregate of over 13,000,000 such coins having been minted.

The President evidently meant that authority had been given for the issuance of such coins, for the record shows that approximately a little over 7,000,000 coins have actually been minted. Of this number, 2,000,000 and some have been returned unused to the mint.

It occurs to me that while the Government is not at any expense, while the record shows there never has been any counterfeiting of a commemorative coin, Congress has the record for a number of years of recognizing similar historic events all over this great land of ours; and with a guaranty that the Government shall not be out any money on the coinage of these silver pieces, and as the record shows from the statement of the chairman relative to the letter of the Treasury to the gentleman from Ohio [Mr. FITZGERALD], on these 10,000 coins that we are asking the Government to coin for us the Government will make, owing to the low price of silver, \$340 a thousand, or \$3,400 net.

As stated by the gentleman from New Jersey [Mr. PERKINS] the authorities have a check from the gentleman from Texas [Mr. HUNSPETH] guaranteeing the Government against loss, and while my check may not be worth anything, I will give you one and have it certified, guaranteeing that not one of these 50-cent pieces will be returned to the Treasury; and if any should be returned, I will give \$1 apiece for them. [Applause.]

* Think about the great domain in the southwestern part of the country that is larger than the thirteen original States—Texas, New Mexico, Arizona, Colorado, most of Utah, and California—asking for recognition of an historic event, if you please, by the Government giving us the right to commemorate this event.

The celebration will be an international affair. The President of Mexico has already agreed to visit Villetros and El Paso on this date. Efforts are being made to have the President of the United States there. The Governors of Texas, New Mexico, and Arizona, and other States will be present.

The SPEAKER. The time of the gentleman from Texas has expired.

Mr. PERKINS. Mr. Speaker, I yield the gentleman two minutes more.

Mr. WILLIAMS. Ordinarily, I agree with the Executive of this Government in many of his vetoes, but here is a measure where the Government is guaranteed against loss. The facts are the Government will make between \$3,400 and \$3,500. Of course, this is not much to the Government, but it is better to be on the credit side than the debit side, and we surely need more funds on the credit side.

I may say, with respect to some of the other measures that the President and Mr. Mellon have referred to, that those coins were issued without any guaranty to the Government that there would not be a loss, and the result was that the Government sustained a loss; but this is not that kind of a case.

The Government is guaranteed against loss in every way, and as I have said, when you realize the great domain of the Southwest—Texas, Arizona, and New Mexico—commemorating the greatest historic event in that part of the country, I can not understand why this House on this bill would not override the President's veto. I thank you. [Applause.]

Mr. PERKINS. Mr. Speaker, I yield five minutes to the gentleman from Massachusetts [Mr. DOUGLASS].

Mr. DOUGLASS of Massachusetts. Mr. Speaker and Members of the House, I speak primarily as a member of the Committee on Coinage, Weights, and Measures that has jurisdiction over such matters as are covered in this bill. I will take as my text in the brief time allotted to me that portion of the veto message which reads as follows:

There are a great many historical events which it is not only highly proper but desirable to commemorate in a suitable way, but the longer use of our coins for this purpose is unsuitable and unwise.

I take it, as has been so eloquently expressed by the gentleman from Texas [Mr. WILLIAMS] that the Gadsden purchase is an event of the greatest historical significance in the United States, and is, therefore, "a great historical event," in the language of the President—

Which it is not only highly proper but desirable to commemorate in a suitable way.

Reference has been made to the fact that there are other bills for coins to commemorate great historical events which have been passed by this committee, and one of them is the Massachusetts tercentennial bill, so-called, to provide for the issuance of 500,000 fifty-cent silver pieces to commemorate the landing of the Puritans and the establishment of representative government in America.

I say nothing of the great events in other parts of the country, but that certainly, the landing of the Puritans, 300 years ago, on these shores, is to quote the language of the President—

An historical event which it is highly proper and desirable to commemorate in a suitable way.

We can commemorate events of that kind in many suitable ways.

The Gadsden Purchase coin will arouse the interest of people of the Southwest. In commemoration of the landing of the Puritans in Massachusetts, people will gather from all over the country to commemorate the establishment of free government in this country.

Is it any too much to ask that when we celebrate such movements that we should ask this little fragment of assistance from the Treasury of the United States?

President McKinley said—

That the memory of heroes is the nurse of patriotism.

To commemorate heroes and historical events is to keep alive the spirit of patriotism in this country. The Treasury of the United States can cooperate to that end.

As to this particular bill, the arguments against it made before the committee and rehearsed in the letter of the Secretary of the Treasury, and in the memorandum of the veto message of the President, were fairly and completely heard. It was absolutely shown before the committee that never in the history of all of our coinage had there been a counterfeit of a memorial coin.

What is a memorial coin for? Where the State can not afford it and the Government is unwilling to afford assistance for a great national celebration, this kind of legislation affords the means for the issuance of coinage of 50-cent pieces to be sold for \$1, so that the people will get the benefit of the increased sale, and by that means the Government places its approval on the public celebration.

Gentlemen, we can safely pass this legislation.

If we do not pass the bill to-day, meritorious as it is, we are going to accomplish what the President evidently desires in the second part of his message, which I read:

But the longer use of our coins for this purpose is unsuitable and unwise.

The issue to-day is whether that is so or not. [Applause.]

Mr. PERKINS. Mr. Speaker, I yield five minutes to the gentleman from Virginia [Mr. BLAND].

Mr. BLAND. Mr. Speaker and gentlemen of the House, there are other bills which have been reported to the House. They are the bills commemorating the Lewis and Clark expedition, and the Massachusetts bill. In fact, the Massachusetts bill has passed the House. There is also the Yorktown bill, which the Yorktown Sesquicentennial Commission, consisting of five Senators and five Members of the House, has recommended. That measure was introduced by the gentleman from Ohio [Mr. FITZGERALD], and provides for the coinage of 500,000 fifty-cent silver pieces to commemorate the surrender of Cornwallis at Yorktown. It strikes me as exceedingly remarkable that the veto message of the President says that these coins have no particular value as commemorative coins, and then in the same message expresses the fear that there will be counterfeiting of these coins.

Mr. ABERNETHY. Mr. Speaker, will the gentleman yield?

Mr. BLAND. Yes.

Mr. ABERNETHY. Whose bill was this originally?

Mr. BLAND. This bill now before the House is the bill of the gentleman from Texas [Mr. HUDSPETH]. The point has been made and stressed that there has been no counterfeiting of these coins. Therefore, the objection made by the Treasury Department and by the President that there is danger of counterfeiting is answered by the cold, bald fact, that there has been no counterfeiting of these coins. The second objection is the burden that it places upon the Treasury. That point is answered by the information which was given to the gentleman from Ohio [Mr. FITZGERALD] that at the present price of silver, the Treasury, on 200,000 fifty-cent pieces, would be making a profit of \$68,000. I think the Treasury might well assume the burden for the profit of \$68,000 which will be made out of this coinage. This objection is also met by the guarantee that these coins will not come back into the Treasury. Then the point is made by the President in his message—and the President's message is nothing but a reiteration of the position taken by Mr. Mellon before the committee of the House—that there is an additional burden imposed upon the mints of the United States.

It strikes me, my countrymen, that the mints of the United States may bear the additional burden for the coinage of commemorative coins for the people of our own country, when we have here the uncontradicted letter from a coin collector written on March 5, 1930, that our mints are of sufficient capacity to do coinage for Poland and Central and South American countries. During January we coined 2,000,000 bronze coins for Costa Rica and 40,000 for Nicaragua. Last year we coined 9,200,000 coins for Venezuela and 21,640,000 for Ecuador, and 1,500,000 for Panama. If there is an additional burden on the mints, let the mints bear it for the citizens of our own country and not for those of foreign countries as is shown by this letter. [Applause.]

Mr. Speaker, if there were anything in the message of the President that added anything new to the matter that has been before the Committee on Coinage, Weights, and Measures, I should not have the temerity to take the floor on this occasion, but that committee, as patriotic, as devoted, as loyal as the Secretary of the Treasury, has the right to submit legislation for this House, and the Congress has the right to determine the policies of this country. The Congress is as much interested in the protection of the money of this country as is the Secretary of the Treasury, or, even the President of the United States. So I ask this House to pass this bill over the veto of the President. [Applause.]

Mr. PERKINS. Mr. Speaker, I yield five minutes to the gentleman from Ohio [Mr. FITZGERALD].

Mr. FITZGERALD. Mr. Speaker and gentlemen of the House, my sole interest in this matter is because I have been appointed by the Speaker of this House as a member of the United States Yorktown Sesquicentennial Commission. At the request of the commission I introduced a bill for the coinage of 50-cent pieces commemorating the end of the Revolutionary War, the surrender of the British forces under Cornwallis at Yorktown. I took it up as a business measure. I knew that there had been reluctance on the part of the United States Treasury for many years to enter into these enterprises because they are beneath the dignity of the Treasury Department, which simply wants to coin money which will circulate freely and not serve any sentimental purpose. And I admire that type of man. It has a place in our political system and our economic system. But when I came to investigate the matter I find that only a few years ago silver cost \$1.36 an ounce. I knew that silver had fallen to 40½ cents. But when I wrote to the Treasury for the figures I found they are paying 41 cents an ounce for fine silver. When they started this policy some years ago silver cost something. They apprehended that the commemorative coins might be counterfeited. They have clung to that policy of opposition and have given the same reasons over and over again. Experience shows that there never has been any counterfeiting of these coins. They are treasured in the homes of patriotic people in the United States, in the collections of numismatists, and they are not in general circulation. The mere fact that the Government by its mere stamp permits the coin to be legal tender at 50 cents is no indication that anyone will ever get one for 50 cents.

I knew that some of the coins have been returned to the mint for recoinage in years past, and so I asked the Secretary of the Treasury for a statement, and I shall put in the RECORD a complete statement of the coins issued and the number authorized and the number returned to the mint.

Those that are returned to the mint cost the Government little or nothing. They are made of fine silver of the standard required for our metallic money, and the expense of melting is insignificant. But when I asked the Secretary of the Treasury for the profit that would come to the United States Government itself by simply putting out these coins at par to the commission he gave me the figures that have already been inserted in the RECORD by my friend from New Jersey [Mr. PERKINS], showing that on 200,000 of these coins the Government would make a profit of \$68,740. If the full 500,000 are minted and disposed of, the profit to the Government would be over \$170,000. The commission has reason to believe that all could be sold, for the banks at Richmond, Va., have undertaken to form a committee for that purpose. If they could be so marketed, there would not only be the \$170,000 of profit to the Government but there would be a fund produced of over \$200,000 for the United States commission to carry out the duty with which you have charged it.

I have been over the ground at Yorktown. I know the great amount of work and the great expense that will be entailed if we invite the French and British to participate in the celebration in October of next year as they did at the centennial in 1881. I hope that we might get some contribution from those patriotic people who would gladly buy these coins to help pay the expense. When I find that the Government would make over \$68,000 profit on 200,000 of these coins, I could see nothing to stand in the way either from a business or a sentimental standpoint. The President of the United States has been misinformed on this subject when he was advised that the mints would be overworked by the coinage of 10,000 coins in commemoration of the Gadsden purchase. I want you to know what the mints have been doing for foreign governments.

The SPEAKER. The time of the gentleman from Ohio has expired.

Mr. FITZGERALD. Mr. Speaker, may I have a little more time?

Mr. PERKINS. Mr. Speaker, may I ask how many minutes I have remaining?

The SPEAKER. Eighteen.

Mr. PERKINS. I yield one minute more to the gentleman from Ohio.

Mr. FITZGERALD. To show what the mints have been doing for other countries I may mention these figures: For Siam, 10,000,000 coins in a year; for Peru, 20,000,000 coins in a year; for Cuba, 27,000,000 coins; for Indo-China, 27,000,000 coins; for Colombia, 24,000,000 coins.

Mr. Speaker, I ask leave to extend my remarks and insert in the CONGRESSIONAL RECORD the whole record as to what we are doing for foreign countries. [Applause.]

The SPEAKER. Is there objection to the gentleman's request?

There was no objection.

Mr. FITZGERALD. These memorial coins are the symbols of patriotic remembrance and appreciation of the outstanding events of the history of our country. They will endure when our monuments of granite and bronze have turned to dust. To-day we have the coins of Alexander the Great and Julius Caesar cherished in our museums and in a multitude of private collections. There is nothing more imperishable, more lasting, or more calculated to serve as a commemorative token.

When the Treasury Department objects to the trifling labor involved in minting 10,000 coins to commemorate the Gadsden purchase or 500,000 to register our appreciation of the end of the War of the Revolution, it not only shows a callous disregard for the loyal sentiments of our people but a disregard of the material welfare of the Government. To claim that the mints are overtaxed, or likely to be by the striking of these coins, arouses suspicion in the face of the report that our mints have manufactured in the last 11 years more than 300,000,000 coins for foreign countries, as set forth in the following table:

Foreign coinages executed at the United States mints

Country:	1919	Number of pieces
Siam	10,000,000	
Salvador	3,000,000	
Nicaragua	850,000	
Venezuela	3,200,000	
Peru	20,750,000	
1920		
Cuba	37,548,000	
Salvador	3,492,000	
Peru	4,544,000	
Nicaragua	850,000	
Colombia	11,395,000	
Indo-China	27,290,000	
Argentina	11,383,334	

Country:	1921	Number of pieces
Costa Rica	3,000	
Cuba	1,590,352	
Colombia	24,005,000	
Venezuela	3,100,000	
Peru	15,456,000	
Indo-China	6,560,000	
Salvador	3,780,000	
1922		
Costa Rica	13,030	
Colombia	3,000,000	
Venezuela	2,800,000	
Nicaragua	900,000	
Indo-China	1,150,000	
1923		
Peru	4,369,000	
1924		
Poland	4,400,000	
Peru	3,113,196	
Venezuela	4,450,000	
Nicaragua	700,000	
1925		
Guatemala	1,570,000	
Poland	1,600,000	
Peru	1,291,000	
Venezuela	2,800,000	
Salvador	6,200,000	
1926		
Costa Rica	15,000	
Guatemala	115,000	
Venezuela	2,800,000	
Peru	11,657,000	
Salvador	400,000	
1927		
Nicaragua	850,000	
Venezuela	2,800,000	
1928		
Nicaragua	1,800,000	
Ecuador	9,878,000	
Costa Rica	25,000	
Salvador	5,000,000	
1929		
Venezuela	9,200,000	
Nicaragua	640,000	
Ecuador	21,640,000	
Costa Rica	2,000,000	
Panama	1,500,000	
Total	300,070,912	

Mr. PERKINS. Mr. Speaker, I yield five minutes to the gentleman from Florida [Mr. GREEN].

The SPEAKER. The gentleman from Florida is recognized for five minutes.

Mr. GREEN. Mr. Speaker and colleagues, this legislation had my support in the committee, and I shall vote for it to-day, the veto of the President to the contrary notwithstanding.

If I felt that in this bill there was danger of injury to the coinage system of our country, of course I should support the President in his veto. But inasmuch as these commemorative coins have never been counterfeited, I wonder if it would not be well to have all our coins commemorative. This bill will not cost the Government anything. Possibly it will put a little more work on somebody in the Treasury Department, but we have no evidence that these employees are not able to perform this extra duty.

The minting of this coin would give encouragement to a section of the country, which, in my opinion, is deserving of as much recognition as any part of our entire Nation.

My history tells me that less than 100 years ago, on April 21, 1836, I believe, Sam Houston, with a band of brave persons who were native Texans, at the Battle of San Jacinto defeated the Mexican forces under Santa Anna and set up a state of their own, and the sons of those same men are now asking the Congress of the United States to permit them to purchase with a check here in hand \$10,000 worth of coins to give honor and commemoration to the Gadsden purchase. Yes; their forefathers set up an independent nation of Texas, won with sword their independence, and then entered our Union of States as a brave, powerful, and patriotic member. Later Arizona and New Mexico came into the Union.

My friends, that is the way sons of Texas, Arizona, and New Mexico do things—open and whole-hearted, aboveboard, and unafraid. They do not ask the Government to lose a cent, but they say, "Here is the money for the coins and the cost of minting thereof." During my five years of service on the Coinage Committee I do not recall another instance where they have said, "Here is the money. All we want you to do is to lend us the moral assistance of our Government." To me, my friends, "word" of my Texas colleagues, Mr. HUDSPETH and Mr. WILLIAMS, was entirely sufficient; it was unnecessary for them to offer further guarantee that the cost of the coins would be met.

The great Southwest is anxious for the passage of the bill. These sturdy citizens of the great open spaces have written rich pages in the history of our Nation. They are strong in their patriotism and firm in causes for the common good of the country. I shall vote for the passage of the bill and thus give my approval to their commemorative efforts. [Applause.]

Mr. PERKINS. Mr. Speaker, I yield three minutes to the gentleman from New Mexico [Mr. SIMMS].

Mr. SIMMS. Ladies and gentlemen of the House, I can understand full well why the distinguished head of the Treasury Department could have a fastidious dislike for such a bill. He is constantly occupied with the management of the most important branch of the Government's activities, and I know that one who has concentrated on the one subject of finance would quite likely lose sight of any sentimental value that might be attached to the passage of such a bill.

You may remember that the issue asked for in this bill is quite small, 10,000 coins, of the value of \$5,000. It is not important in the life of the country but it is important to the region which I have the honor to represent, the State of New Mexico.

Please remember that this bill has been used as a stalking horse; that it is a typical bill; that the fate of this bill will be the fate of the Massachusetts Bay bill, the fate of the Yorktown bill, the fate of the Oregon purchase bill, and others. After all, why should there not be a little sentiment in Government? There ought to be other things beside the fact that two and two make four. It occurs to me that one of the most valuable thoughts to be considered about the advisability of the passage of this bill is that it will promote our international relations with the Republic of Mexico. On the occasion of this celebration, which is to be July 5, there will be friendly groups from both Republics, and we all know that the more people exchange ideas with each other the less likely they are to have prejudices and the more likely they are to have their sentiments grow into lasting feelings of friendship. It occurs to me it would be greatly in the public interest to pass this bill, and I ask the House to pass it without the aid of the White House. [Applause.]

Mr. PERKINS. Mr. Speaker, I yield three minutes to the gentleman from Missouri [Mr. LOZIER].

Mr. LOZIER. Mr. Speaker, I favor the enactment of this legislation, notwithstanding the Presidential veto. By this measure it is proposed to mint 10,000 half-dollar coins to commemorate the so-called Gadsden purchase. In July a celebration is to be held in El Paso, Tex., to commemorate this historic event which added 45,535 square miles of territory to our national domain. This is a celebration in which all of the people of the great Southwest are interested. It has been the custom in the past for the Government to issue coins on occasions of this character, however without expense to the Government. In the past, commemorative coins have been authorized and issued for the following expositions: Columbian, Louisiana Purchase, Lewis & Clark, Panama-Pacific, and Sesquicentennial; also for the Missouri and Fort Vancouver Centennials, the Stone Mountain, Grant, McKinley, and Huguenot-Walloon Memorials, and the Battle of Bennington and Landing of the Pilgrims celebrations.

Those behind this movement to celebrate the Gadsden purchase have offered to take these coins as soon as they are minted, and pay the Government their full value. I understand that a certified check has been deposited, or is available to insure the payment to the Government of the full value of these coins. While the Government will get 100 cents on the dollar for these coins, those in charge of this celebration will be able to sell them at a premium. In this way, the celebration will be promoted without expense to the Government, and these coins will be kept as mementoes of this celebration, and of the purchase it commemorates.

Moreover, the coining of these pieces will mean a net profit to the Government of about \$3,400, because the silver in the coins will not cost the Government anything like the amount it receives for the coins. So from a business standpoint this is a good proposition for the Government.

The President suggests that these memorial coins might be counterfeited; but the evidence shows there has never been a single case where any of the coins of this kind were counterfeited. This is established by the testimony of Secretary Mellon, so that objection on the part of the President falls to the ground. There is no more danger of these special coins being counterfeited than there is of the other coins issued by the Government being counterfeited.

I can not believe that this measure was carefully considered by the President. I am convinced that if President Hoover had made an independent investigation of this matter he never would have written this veto message. It is quite evident that he has been imposed upon by Secretary Mellon, because in this

veto message he follows very closely the statements made by Mr. Mellon in his testimony before the committee. The message reflects a selfish and sordid note or sentiment. It condemns a sentiment that ought to be encouraged in America. I do not think we should let the oncoming generations forget the wonderful achievements of those who built, developed, and expanded our mighty Nation.

I favor this bill because it will stimulate patriotism and inspire a feeling of pride for our many accomplishments as a nation, and while this project will not cost the Government a penny, if it cost \$5,000 the money would be well expended in the stimulation of patriotism. I think we give too little thought to the spiritual things of life and are becoming a selfish and sordid nation. More and more we are measuring everything by the standard of the dollar. We are neglecting the higher, nobler, and better things of life, disregarding the high ideals that should actuate a republic such as ours, and we are measuring everything by the dollar, which is rapidly becoming the rule or yardstick for everything we are asked to do. These coins will be handed down from father to son, and will inspire patriotism, better citizenship, and interest in public affairs. In coming generations these coins will be prized and exhibited as memorials of outstanding historic events.

It is fitting that the Gadsden purchase be commemorated. It was an important event in the history of the great Southwest. Our war with Mexico was ended in 1848 by the treaty of Guadalupe-Hidalgo. This treaty indefinitely defined the boundaries between the United States and Mexico. Both nations claimed the territory bounded on the north by the Gila River and on the east by the Rio Grande. Under this treaty the United States agreed to protect Mexico from depredations in Mexico by Indians living on our side of the international boundary line. This we failed to do, and Mexico presented claims against our Government amounting to between \$20,000,000 and \$30,000,000.

The territory to which I have referred was claimed by our Territory of New Mexico and also by the State of Chihuahua, in Mexico, which controversy threatened no end of trouble, and possibly war. In order to adjust this conflict and to acquire this additional territory, James Gadsden, our minister to Mexico, acting under instructions from our Government, negotiated a treaty during the closing days of 1853, which was ratified in 1854, and by which treaty a district containing over 45,000 square miles of territory along the southern sides of Arizona and New Mexico was ceded by Mexico to the United States, in consideration of which we paid Mexico \$10,000,000 and Mexico canceled her claims against the United States growing out of depredations of American Indians in Mexican territory.

It has been claimed that in the acquisition of this territory far-seeing Americans looked forward to the time when it would furnish a route for what is now the Southern Pacific Railroad through Arizona and New Mexico, with much lower grades than would have been required had the road been projected over a route through the more mountainous territory farther north which was conceded to belong to the United States.

The people of Mexico were very much opposed to ceding this land to the United States, and largely because of the transaction the Mexican President, General Santa Anna, was banished from his office and country. But no American has ever questioned the wisdom of our Government in having made the so-called Gadsden purchase, and the people of Texas are to be congratulated on their coming celebration of this important historic event. What this bill asks our Government to do costs the Government nothing, gives it a profit of \$3,400, and encourages a commendable and patriotic enterprise. [Applause.]

The SPEAKER pro tempore. The time of the gentleman from Missouri has expired.

Mr. PERKINS. Mr. Speaker, I yield five minutes to the gentleman from Connecticut [Mr. TILSON].

Mr. TILSON. Mr. Speaker, ladies and gentlemen of the House, the fundamental question before us is whether this is a proper use of the coinage, or whether it is not; in fact, an abuse of the coinage. It is true we have entered upon this policy, and for a number of years we have reported out and passed certain of these bills, one after another, on some of the same excuses that have been presented in this case. After all, what is the purpose of the coinage? Is it to issue medals to celebrate historical occasions? No. The fundamental purpose of our coinage is to furnish a proper circulating medium for our people.

I believe in celebrating historical occasions, and there is a proper way to do it; but how much does it add to the dignity of the celebration to issue a half dollar purporting to commemorate that occasion?

There are other ways and proper ways to celebrate historical anniversaries. If we wish to authorize a medal, all right; but

let us not go on with this policy of really abusing our coinage by the issuance of one after another of these memorial coins.

As I understand, there are now five more bills of the same kind to follow this one; and if these pass there will be numerous other occasions to be commemorated in the same way. Our country's life has been so full of historical events that we might celebrate many of them every year, and where would it end, so far as our coinage is concerned? It seems to me that we have reached a place where we ought to consider this question calmly and dispassionately, and if we do I think we shall make up our minds that the time has come to cease using our coinage for such a purpose. We know in our hearts this is not the proper way to celebrate these events. We know that in this case the President is right in asking that this method of celebrating historical events should stop.

Being right—and, in my judgment, most of us believe that he is right—we should, of course, support him. I believe that each one of us upon calm and judicial reflection will conclude that he is warranted in asking us to stop what amounts to an abuse of the public coinage. I sincerely hope that this House will take this calm view of it, and because the President is right and because we know he is right, support him. [Applause.]

Mr. PERKINS. Mr. Speaker, I move the previous question. The previous question was ordered.

The SPEAKER pro tempore (Mr. ACKERMAN). The question now is, Will the House, on reconsideration, pass the bill, H. R. 2029, the objections of the President to the contrary notwithstanding? Under the Constitution the vote is taken by the yeas and nays, and the Clerk will call the roll.

The question was taken; and there were—yeas 96, nays 244, answered "present" 2, not voting 86, as follows:

[Roll No. 24]

YEAS—96

Abernethy	Douglas, Ariz.	Hill, Wash.	Patman
Allgood	Douglass, Mass.	Howard	Patterson
Almon	Doxey	Hull, Tenn.	Pou
Bankhead	Drane	Jeffers	Prall
Bell	Driver	Jones, Tex.	Ragon
Bland	Edwards	Lampert	Ramspeck
Bloom	Eslick	Lanham	Rankin
Box	Esterly	Lankford, Ga.	Rayburn
Boylan	Evans, Mont.	Larsen	Romjue
Brand, Ga.	Fisher	Lindsay	Rutherford
Briggs	Fitzgerald	Lozier	Sanders, Tex.
Browning	Fitzpatrick	Ludlow	Simms
Buchanan	Fuller	McCormack, Mass.	Speaks
Busby	Fulmer	McDuffie	Sullivan, N. Y.
Canfield	Garner	McKeynolds	Summers, Tex.
Cartwright	Gasque	McSwain	Tarver
Clark, N. C.	Gavagan	Mansfield	Vinson, Ga.
Collier	Glover	Montet	Warren
Connery	Goldsborough	Moore, Ky.	Williams
Cooper, Tenn.	Green	Moore, Va.	Wilson
Cox	Gregory	O'Connor, La.	Wingo
Crisp	Hare	Oldfield	Woodrum
Cullen	Hastings	Oliver, Ala.	Wright
Dominick	Hill, Ala.	Parks	Yon

NAYS—244

Ackerman	Colton	Hale	LaGuardia
Adkins	Connolly	Hall, Ill.	Langley
Aldrich	Cooke	Hall, Ind.	Lankford, Va.
Allen	Cooper, Ohio	Hall, Miss.	Lea
Andresen	Cooper, Wis.	Hall, N. Dak.	Leavitt
Andrew	Coyle	Halsey	Lehlbach
Arentz	Craddock	Hancock	Letts
Arnold	Crail	Haugen	Luce
Ayres	Crosser	Hawley	McClintock, Ohio
Bacharach	Culkin	Hess	McFadden
Bachmann	Dallinger	Hickey	McCormick, Ill.
Bacon	Darrow	Hoch	McLaughlin
Baird	Dempsey	Hogg	McLeod
Barbour	Denison	Holaday	Maas
Beck	De Priest	Hooper	Magrady
Beers	Dickstein	Hope	Manlove
Blackburn	Doutrich	Houston, Del.	Mapes
Bohn	Dowell	Huddleston	Martin
Bolton	Dunbar	Hull, Morton D.	Merritt
Bowman	Dyer	Hull, William E.	Michaelson
Brand, Ohio	Eaton, Colo.	Hull, Wis.	Michener
Brigham	Eaton, N. J.	Irwin	Miller
Browne	Elliott	Jenkins	Milligan
Brumm	Ellis	Johnson, Ind.	Montague
Buckbee	Englebright	Johnson, Nebr.	Mooney
Burdick	Estep	Johnson, S. Dak.	Moore, Ohio
Burtness	Evans, Calif.	Johnson, Wash.	Morehead
Butler	Fenn	Johnson, Mo.	Morgan
Byrns	Fish	Jonas, N. C.	Mouser
Campbell, Iowa	Fort	Kahn	Murphy
Cannon	Foss	Kearns	Nelson, Me.
Carter, Calif.	Frear	Kelly	Nelson, Mo.
Carter, Wyo.	Free	Kemp	Niedringhaus
Chalmers	French	Kendall, Ky.	Nolan
Christgau	Garber, Okla.	Kendall, Pa.	O'Connor, Okla.
Christopherson	Garber, Va.	Ketcham	Oliver, N. Y.
Clague	Gibson	Kiefner	Palmer
Clancy	Golder	Kiess	Parker
Clark, Md.	Goodwin	Kincheloe	Peavey
Clarke, N. Y.	Graham	Kinzer	Perkins
Cochran, Mo.	Granfield	Knutson	Pittenger
Cochran, Pa.	Greenwood	Kopp	Porter
Cole	Guyer	Kurtz	Pratt, Harcourt J.
Collins	Hadley	Kvale	Pratt, Ruth

Pritchard	Selig	Swanson	Wainwright
Purnell	Shaffer, Va.	Swick	Walker
Quin	Shott, W. Va.	Swing	Wason
Ramey, Frank M.	Simmons	Taber	Watres
Ramsdayer	Sinclair	Taylor, Tenn.	Watson
Ransley	Snell	Temple	Welch, Calif.
Reece	Snow	Thatcher	Welsh, Pa.
Reed, N. Y.	Somers, N. Y.	Thompson	Whitley
Robinson	Sparks	Thurston	Whittington
Rogers	Sproul, Ill.	Tilson	Wigglesworth
Sabath	Stafford	Timberlake	Williamson
Sanders, N. Y.	Stalker	Tinkham	Wolfenden
Schafer, Wis.	Stobbs	Treadway	Wolverton, N. J.
Schneider	Stone	Turpin	Wolverton, W. Va.
Sears	Strong, Kans.	Underhill	Wood
Seeger	Strong, Pa.	Vestal	Woodruff
Seiberling	Summers, Wash.	Vincent, Mich.	Yates

ANSWERED "PRESENT"—2

Aswell O'Connor, N. Y.

NOT VOTING—86

Auf der Heide	Drewry	Korell	Short, Mo.
Beedy	Finley	Kunz	Shreve
Black	Freeman	Lambertson	Sirovich
Britten	Gambrill	Leech	Sloan
Brunner	Garrett	Linthicum	Smith, Idaho
Cable	Gifford	McClintic, Okla.	Smith, W. Va.
Campbell, Pa.	Griffin	McKeown	Sparring
Carley	Hammer	McMillan	Sproul, Kans.
Celler	Hardy	Mead	Steagall
Chase	Hartley	Menges	Stedman
Chindblom	Hoffman	Nelson, Wis.	Stevenson
Corning	Hopkins	Newhall	Sullivan, Pa.
Cramton	Hudson	Norton	Taylor, Colo.
Cross	Hudspeth	O'Connell, N. Y.	Tucker
Crowther	Igoe	O'Connell, R. I.	Underwood
Curry	James	Owen	White
Davenport	Johnson, Ill.	Palmisano	Whitehead
Davis	Johnson, Okla.	Quayle	Wurzbach
DeRouen	Johnson, Tex.	Rainey, Henry T.	Wyant
Dickinson	Kading	Reid, Ill.	Zihlman
Doughton	Kennedy	Rowbottom	
Doyle	Kerr	Sandlin	

So, two-thirds having failed to vote in favor thereof, the bill was rejected.

The Clerk announced the following pairs:

On this vote:

Mr. Linthicum and Mr. Hudspeth (for) with Mr. Shreve (against).
 Mr. McKeown and Mr. McClintic of Oklahoma (for) with Mr. Reid of Illinois (against).
 Mr. Sandlin and Mr. Sparring (for) with Mr. Chindblom (against).
 Mr. Stedman and Mr. O'Connell of New York (for) with Mr. Beedy (against).
 Mr. Carley and Mr. Quayle (for) with Mr. Curry (against).
 Mr. McMillan and Mr. Celler (for) with Mr. Wyant (against).
 Mr. Doughton and Mr. Hammer (for) with Mr. Cramton (against).
 Mr. Smith of West Virginia and Mr. Cross (for) with Mr. Sullivan of Pennsylvania (against).
 Mr. Garrett and Mr. Johnson of Texas (for) with Mr. Short (against).
 Mr. Auf der Heide and Mr. Black (for) with Mr. Crowther (against).
 Mrs. Norton and Mr. Brunner (for) with Mr. Hopkins (against).
 Mr. DeRouen and Mr. Corning (for) with Mr. Hudson (against).
 Mr. Mead and Mrs. Owen (for) with Mr. Cable (against).

Until further notice:

Mr. Campbell of Pennsylvania with Mr. Davis.
 Mr. Smith of Idaho with Mr. Gambrill.
 Mr. Dickinson with Mr. Kunz.
 Mr. Gifford with Mr. Johnson of Oklahoma.
 Mr. Johnson of Illinois with Mr. Igoe.
 Mr. Menges with Mr. Kerr.
 Mr. White with Mr. Steagall.
 Mr. Zihlman with Mr. Tucker.
 Mr. Wurzbach with Mr. O'Connell of Rhode Island.
 Mr. Britten with Mr. Doyle.
 Mr. Davenport with Mr. Kennedy.
 Mr. Freeman with Mr. Whitehead.
 Mr. James with Mr. Henry T. Rainey.
 Mr. Leech with Mr. Drewry.
 Mr. Newhall with Mr. Griffin.
 Mr. Hartley with Mr. Underwood.
 Mr. Rowbottom with Mr. Stevenson.
 Mr. Chase with Mr. Palmisano.
 Mr. Kading with Mr. Sirovich.
 Mr. Hardy with Mr. Taylor of Colorado.

The result of the vote was announced as above recorded.

The SPEAKER. Without objection the Clerk will inform the Senate of the action of the House, and without objection the Chair will refer the bill and the President's message back to the Committee on Coinage, Weights, and Measures.

There was no objection.

ELECTION TO COMMITTEES

Mr. CRISP. Mr. Speaker, at the request of the gentleman from Texas [Mr. GARNER] I offer a privileged resolution.

The SPEAKER. The gentleman from Georgia offers a resolution, which the Clerk will report.

The Clerk read as follows:

House Resolution 210

Resolved, That MARTIN J. KENNEDY, of New York, be, and he is hereby, elected a member of the standing committees of the House, as follows: Claims, Labor.

The SPEAKER. The question is on agreeing to the resolution.

The resolution was agreed to.

MINORITY VIEWS

Mr. DICKSTEIN. Mr. Speaker, I ask unanimous consent that I may have five days from to-morrow in which to file minority views on H. R. 10668 and H. R. 10670.

The SPEAKER. The gentleman from New York asks unanimous consent that he may have five legislative days in which to file minority views on House bill 10669 and 10670. Is there objection?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. WILLIAM E. HULL. Mr. Speaker, I ask unanimous consent to proceed for two minutes in order to make a statement with reference to the Rivers and Harbors bill.

The SPEAKER. Is there objection?

There was no objection.

Mr. WILLIAM E. HULL. Mr. Speaker, the waterways of the Nation have for many years been of little service except along the seaboard and the Great Lakes system. The reason has been that our railroad transportation was so efficient and so cheap that it was unnecessary to consider waterways.

However, since the war, railroad costs have gone up by leaps and bounds. This is not a reflection upon the management of the railroads, but our railroads which have reached the highest efficiency in their history must maintain this efficiency. With a higher cost of labor and materials, they can not reduce their freight rates and therefore it is necessary to secure some other form of transportation in order to meet the requirements of the Nation. Under such conditions we must turn to our natural waterways with which Providence has blessed us.

In order to accomplish this we must deepen our rivers to permit modern barge transportation, deepen the outlet to the Great Lakes to permit ocean-going shipping, and connect the Lakes with the Atlantic into a definite transportation system.

This would give us 12,000 miles of connected inland waterway transportation, reaching from Duluth in the North to New York in the East, from Chicago to New Orleans, from Pittsburgh to Sioux City, from New Orleans to Houston, Tex., thus making a network of inland waterways larger than any in the world.

The Rivers and Harbors Committee will on Friday consider in the House a bill containing many projects that have accumulated since the last bill was passed in 1927. A 3-year period has elapsed from the time the last bill was passed until this bill was reported. Consequently, the total amount of this bill is larger than the usual bill. It will amount to, in round numbers, in the neighborhood of \$111,000,000.

These projects have been well distributed throughout the United States, beginning at a point in northern Massachusetts, along the Atlantic seaboard to Florida, and then across the Gulf of Mexico to the farthest Texas points, and from southern California to northern Washington, taking in Alaska. All of the coast harbors are well provided for.

The Great Lakes system, the greatest inland-water system in the world, has received very generous treatment. Twenty-nine million dollars is authorized for the deepening of the channels to 24 feet. Every State bordering on the Great Lakes, starting with western New York, western Pennsylvania, northern Ohio, northern Indiana, Michigan, Illinois, and Wisconsin have fared well by the allocation of funds and a completion of necessary harbors and inland rivers.

The Central West, which includes all of the States between the Alleghenies and the Rockies, have been very generously treated in this bill, and I want at this time to impress upon the Congressmen and Senators who come from this part of the country and the South that this is one bill that will meet their requirements. We have all been generously treated; a sum of \$42,344,487 has been authorized for our rivers in this part of the country and \$37,929,237 to the Great Lakes section. And while some may complain that they have been unjustly treated, nevertheless, it is a fair bill and no one in this section of the country should rebel. It is my honest belief that those of us who have been fighting for these many years have now come into our own. We should be satisfied with what is given us; we should be willing to vote as one man for the entire bill.

In the development of a waterway bill, there are always kicks and complaints—there may be some against this bill—one section of the country complaining on account of the advantages gained by another section. That should be avoided, if possible, because remember the destruction of this bill would mean setting back waterway development for two years. Remember, it is only in the long session of Congress that we are able to develop and pass waterway legislation. If this bill

should fail, we will be faced two years from now with going back and taking up the same projects in regular order and add additional projects that will be presented by the engineers. So I am asking you not to make this sectional legislation but make it legislation for the whole country.

THE ERIE CANAL

Many false statements have been made in reference to the Erie Canal. It has been said that the West traded with New York. I deny that anything of the sort was ever contemplated by the committee.

Early in the hearings, there was a unanimous vote of the entire committee to give consideration to the Erie Canal because it was the belief that by making a connection between the Great Lakes and the Atlantic Ocean it would be a great advantage for the transportation of grain and manufactured products of the West to the seaboard and would be equally advantageous for importations and domestic freight through the canal westward.

As the Erie Canal serves both domestic and foreign commerce, the very important finding is made that terminal and transportation facilities have been provided at all important canal points, with a 2,000,000-bushel grain elevator at New York City and 1,000,000-bushel grain elevators at Oswego and Albany. The terminals have direct railroad connections and are open to the public on equal terms.

The Erie Canal carried 1,424,434 tons of traffic in 1920; in 1928 this had grown to 3,089,988 tons, an increase of 117 per cent. And, mind you, this tremendous growth has resulted despite the fact that the project depth has not been obtained.

The construction and operation of modern type vessels which would carry the largest cargo possible on a 12-foot depth has been discouraged and prevented by the failure to obtain the project depth to make the canal as successful as it would be to bring about transportation of tonnage at the lowest rate on a 12-foot depth.

A somewhat greater depth than this, say 13 feet, must be obtained and maintained in order to make this canal a success.

It is reasonable to suppose that a canal of such wonderful proportions, of such great opportunities of carrying the freight from the West to the East, and from the East to the West, with very small expense, properly managed by the United States Government will become one of the important transportation canals of the Nation. By connecting the Great Lakes with the Atlantic, which in time will be connected up with all of the great western country, gives opportunity that could not be supplied in many years to come.

What is needed now is quick action and this we can have within a two or three year period.

I regard the Erie Canal as one of the outstanding projects in this general rivers and harbors bill.

The Illinois waterway has been amicably settled. The diversion question is entirely out of it. Members on the committee of the Great Lakes States have sanctioned it by a unanimous vote by roll call and the attorneys for the Great Lakes system and the Lake Carriers Association and the attorney general of the State of Illinois agreed upon the language that is in this bill.

In order to make the Mississippi system a success it is necessary to complete the Illinois waterway so as to make the connection between Lake Michigan and the Mississippi River. When that is done, then it will be an easy matter to make these channels pay their own way.

The upper Mississippi River has been treated fairly and the only way it could be treated.

All projects are adopted on the recommendation of the engineers' report. It was impossible for the engineers to complete the report on the upper Mississippi River, so an interim report was made. It left the committee without authority to adopt the full project. However, it is the belief of the committee that when the engineers' report is complete it will recommend a 9-foot channel from the mouth of the Illinois River to St. Paul and Minneapolis, and I am sure that it is in the minds of the members of the committee that if a favorable report is made, they will very gladly adopt it.

The upper Missouri River, which is in about the same position, will be allocated in this bill \$15,000,000 to be spent above Kansas City on the upper Missouri within a 3-year period. This is all the engineers could expend, and it will take them in a northerly direction very close to the city of Omaha.

The Tennessee River, which has a full report, is in the same position as the other rivers, and \$3,000,000 has been allotted for it, which will give it a good start. All of the rivers of the Central West have been generously treated.

We can not make a success of the inland waterway system without reaching the seaboard.

If the Erie Canal, at some future date, is turned over to the United States Government and is made a 13-foot channel, it will immediately give us a waterway from the Central West to the Atlantic coast.

When the Mississippi River is a completed project with a 9-foot channel, it will give the Central West an outlet by the Gulf of Mexico and through the Great Lakes and Erie Canal to the Atlantic Ocean. Consequently it will be of great advantage to every State between the Rocky and the Allegheny Mountains.

The St. Lawrence route has been treated fairly. Adoption of a 27-foot channel connecting Ogdensburg, N. Y. and Lake Ontario.

The development of these inland waterways, which connects up, as I said before, the Great Lakes system with the Atlantic coast, will be an incentive, in my judgment, to bring to a final conclusion the efforts that are being put forth for the building of the St. Lawrence waterway.

There is not a member of the Rivers and Harbors Committee but who favors a waterway through the St. Lawrence. We are, all, for that project but why wait indefinitely upon Canada; we are ready now, but they have never made any overture to this country that would consummate this great project. So, I say to the House of Representatives, study this bill carefully, lay aside your prejudices, clasp hands of friendship with the East and the West, the North and the South, carry this bill through to a successful conclusion and you will begin a great development of waterways that will eventually make our transportation the greatest of any country in the world. [Applause.]

LEAVE OF ABSENCE

Mr. ACKERMAN. Mr. Speaker, on behalf of my colleague, the gentleman from Pennsylvania [Mr. SHREVE], who is chairman of the subcommittee having in charge the appropriation bill for the Departments of State and Justice, the Judiciary, and the Departments of Commerce and Labor, I ask that he may be excused from attendance upon the sessions of the House for three weeks on account of attending an administrative conference of commercial attachés, Department of Commerce, at Panama, and then going to Los Angeles to attend a conference of trade commissioners.

The SPEAKER. Without objection, granted.

CUSTER NATIONAL FOREST

Mr. COLTON. Mr. Speaker, by direction of the Committee on the Public Lands, I ask unanimous consent to take from the Speaker's table the bill (H. R. 6130) to exempt the Custer National Forest from the operation of the forest homestead law, and for other purposes, with Senate amendments, disagree to the Senate amendments, and ask for a conference.

The SPEAKER. The gentleman from Utah asks unanimous consent to take from the Speaker's table the bill H. R. 6130, with Senate amendments, disagree to the Senate amendments, and ask for a conference. The Clerk will report the bill.

The Clerk read the title of the bill.

Mr. CRISP. Mr. Speaker, reserving the right to object, has the gentleman consulted the minority members of the committee?

Mr. COLTON. Yes; the matter was taken up in the committee this morning and I was directed by the committee to take this action.

The SPEAKER. Is there objection to the request of the gentleman from Utah?

There was no objection; and the Chair appointed the following conferees: Messrs. COLTON, SMITH of Idaho, and EVANS of Montana.

CONGESTION OF BUSINESS IN THE FEDERAL COURTS

The SPEAKER. Under the order of the House the Chair recognizes the gentleman from West Virginia [Mr. BACHMANN] for 45 minutes.

Mr. BACHMANN. Mr. Speaker, I ask unanimous consent that certain tables that I have prepared, showing the disposition of cases in the Federal courts in every State of the Union, may be incorporated in the RECORD as a part of my remarks.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

Mr. BACHMANN. Mr. Speaker and Members of the House, on March 7 last I discussed the subject of congestion in the Federal courts in relation to prohibition enforcement. To-day I am prepared to discuss congestion in the Federal courts from all causes.

The President in his message to Congress on January 13, 1930, transmitting comments upon proposals to improve enforcement of the criminal laws of the United States said:

In my previous messages I have requested the attention of the Congress to the urgent situation which has grown up in the matter of enforcement of Federal criminal laws.

Increasing enactment of Federal criminal laws has finally culminated in a burden upon the Federal courts of a character for which they are ill designed, and in many cases beyond their capacity.

The President recommended, in part, provision for adequate court and prosecuting officials.

The Attorney General in his letter to the President on January 13, 1930, said:

Congestion in the courts deserves utmost consideration. In many districts the Federal courts are unable to cope with the volume of business brought before them. This results in delay with weakening of evidence and difficulty in obtaining convictions.

The Attorney General also said:

Some additional relief for congested conditions will be afforded by providing additional judges in a few districts already recommended by the conference of senior circuit judges and by me.

The Attorney General recommended, in part, immediate consideration of legislation to relieve congestion in the United States courts by providing some additional judges.

The Commission on Law Observance in its preliminary report, dated November 21, 1929, stated:

From various parts of the country come complaints of congestion of the Federal courts.

The President, the Attorney General, and the Commission on Law Observance all agree that the Federal courts are congested and that action should immediately be taken by the Congress to relieve the situation.

However, before legislation to relieve the situation can be enacted it must be determined whether the congestion is general throughout the United States or whether it is "spotty" and confined to a few certain districts. To determine this, I have made a close study of the reports of the Attorney General concerning the volume of business transacted in each Federal district for the period beginning with the fiscal year 1926 and ending with the fiscal year 1929. I have prepared certain tables, which will be inserted in the RECORD as a part of my remarks, which show the business transacted in each of the Federal districts in the United States, exclusive of Alaska, Hawaii, and Porto Rico.

In these tables, litigation in which the United States is a party, is listed as civil cases; litigation in which citizens of the United States are parties, is listed as private cases; while all violations of the various criminal laws are listed as criminal cases. Bankruptcy proceedings are not included in these figures.

Mr. CRISP. Will the gentleman yield?

Mr. BACHMANN. I yield.

Mr. CRISP. Does your list show how many were tried and how many disposed of without a trial?

Mr. BACHMANN. It does not. I made that analysis in a speech on March 7, when I analyzed prohibition cases only.

Mr. CRISP. Unfortunately, I did not hear the gentleman's speech.

Mr. THATCHER. Will the gentleman yield?

Mr. BACHMANN. Yes.

Mr. THATCHER. Has the gentleman anything to show what percentage of these cases were misdemeanors and what percentage were felonies?

Mr. BACHMANN. I did not go into the analysis of the misdemeanors and the felonies, because it would have entailed too many figures.

Mr. KINCHELOE. Will the gentleman yield?

Mr. BACHMANN. I yield.

Mr. KINCHELOE. Does the gentleman's analysis show the number of criminal cases actually tried that pleaded guilty?

Mr. BACHMANN. That analysis was given in the other speech on March 7.

CASES COMMENCED

It may be of interest to know that in the 85 Federal districts in the United States, including the District of Columbia, for the 4-year period beginning with the fiscal year 1926 and ending with the fiscal year 1929, there was a total of 464,815 civil, private, and criminal cases commenced, an average of 116,200 cases each year. Of the total cases for the period, 165,885 were civil and private and 298,930 were criminal cases. Over one-third, or approximately 36 per cent, of the total cases commenced during the period were civil and private litigation, while almost two-thirds, or 64 per cent, of the total cases were criminal prosecutions.

In other words, approximately two-thirds of the cases brought into the Federal courts were for violations of the criminal laws of the United States.

Of the 298,930 criminal cases commenced during the period, 196,413, or over 64 per cent, were prohibition cases.

Of the total of all cases commenced during the period, over 42 per cent, or 196,413 cases, were prohibition cases; 102,517, or 22 per cent, were criminal cases other than prohibition; 165,885, or 36 per cent, were civil and private cases, showing that the greatest percentage of the total cases commenced in the Federal courts were prohibition cases.

For the fiscal year 1926 there were 105,831 cases commenced, 104,178 for the fiscal year 1927, 126,532 for the fiscal year 1928, and 128,185 for the fiscal year 1929. There were 22,354 more cases commenced in the fiscal year 1929 than were commenced in 1926. This means that the business of the Federal courts is steadily increasing.

The State of New York with 78,419 civil, private, and criminal cases commenced during the 4-year period ranks first in the volume of business commenced.

Mr. O'CONNOR of New York. Mr. Speaker, will the gentleman yield there?

Mr. BACHMANN. Yes.

Mr. O'CONNOR of New York. Has the gentleman considered the necessity of the Federal judicial system in New York? There is hardly one case in the southern district of that court that could not be brought before a State court. The only cases that are tried there are cases in which an attempt is made to evade the State courts by the public utilities. But nobody understands why there is a Federal judicial system in New York.

Mr. BACHMANN. I know that in the southern district of New York at this period there were commenced 14,897 cases.

Mr. O'CONNOR of New York. They could just as well have been brought before the State courts. The reason why they are brought before the United States courts is to evade the State courts, as in the case of some of our utility companies.

Mr. BACHMANN. The District of Columbia with 65,743 cases was second and Pennsylvania with 20,874 cases third.

The least number of cases was commenced in Wyoming with 212, Rhode Island was next with 502, and Delaware next with 782.

The greatest number of criminal cases for the period were commenced in the District of Columbia, where 49,187 criminal cases were started. New York was second with 47,896, and Kentucky third with 16,094.

The least number of criminal cases was commenced in the State of Wyoming with 124, Rhode Island next with 336, and Delaware next with 358.

There were more criminal cases started during the 4-year period in the States of New York, Kentucky, Texas, West Virginia, Illinois, and the District of Columbia than in the remaining 43 States combined. In other words, there were 151,055 criminal cases commenced in the 5 States mentioned and the District of Columbia, while there were only 147,875 criminal cases commenced in the other 43 States combined.

Mr. O'CONNOR of New York. Will the gentleman yield?

Mr. BACHMANN. I yield.

Mr. O'CONNOR of New York. Would not a proper deduction from the figures the gentleman has given be that enforcement in the five States was more active than in the other parts of the country?

Mr. BACHMANN. You can not tell about that. The law may be better enforced and there may be more criminal violations there. I do not know, and I do not know that anybody else can tell.

Mr. O'CONNOR of New York. Does the gentleman happen to have the population?

Mr. BACHMANN. The population of New York is about 11,000,000.

Mr. ARENTZ. Will the gentleman yield?

Mr. BACHMANN. I yield.

Mr. ARENTZ. In view of the similarity of numbers regarding the number of cases in the United States courts of New York and the District of Columbia, taking into consideration the fact that there are six times more people in the southern district of New York than in Washington, would that indicate that there are six times more criminals in the District of Columbia per capita than in New York?

Mr. BACHMANN. Not at all; in the States we have State courts that dispose of criminal cases. In the District of Columbia all violations of the criminal laws are handled in the Federal courts. That is why we find so many criminal cases in the District of Columbia.

Excluding the District of Columbia, there were more criminal cases commenced in the southern district of New York than in any other Federal district in the United States. There were 23,384 criminal cases commenced during the 4-year period in that district alone. The eastern district of Kentucky was sec-

ond with 12,080 cases and the southern district of West Virginia third with 9,738 cases.

The greatest number of civil and private cases was commenced in the State of New York, where 30,523 cases were started during the period. The District of Columbia was second with 16,556 cases and the State of Pennsylvania third with 10,989 cases.

The least number of civil and private cases commenced during the 4-year period was in the State of Wyoming with 88 cases. Rhode Island was next with 166 and Vermont next with 249.

CASES TERMINATED

By cases terminated is meant the number of cases disposed of during the 4-year period.

There were 476,333 civil, private, and criminal cases terminated in all the States and the District of Columbia during the period, 113,361 cases in the fiscal year 1926, 108,538 cases in the year 1927, 128,329 in the year 1928, and 128,270 in the year 1929.

Approximately one-half of all the cases terminated were completed in the States of New York, Pennsylvania, Texas, Kentucky, Illinois, and the District of Columbia. This means that there was almost as much business transacted for the period in the Federal courts of the 5 States mentioned and the District of Columbia as was completed in all of the remaining 43 States in the Union combined.

The largest volume of business transacted was in the State of New York, where 81,829 cases were terminated. The District of Columbia was second with 63,268 cases completed, and the State of Pennsylvania third with 22,896 cases completed.

Mr. RAMSEYER. Will the gentleman yield?

Mr. BACHMANN. I yield.

Mr. RAMSEYER. Does that include both supreme court cases and municipal court cases?

Mr. BACHMANN. I am discussing Federal district courts. Criminal cases are handled in the Supreme Court of the District of Columbia.

Mr. RAMSEYER. The figures for the District of Columbia only include criminal cases that come before the District Supreme Court?

Mr. BACHMANN. Yes; petty cases, traffic violations, and so forth, are handled in the municipal court.

Mr. O'CONNOR of New York. Of course in other districts no petty cases come into the Federal courts.

Mr. BACHMANN. No; the criminal cases here are handled in the Supreme Court of the District of Columbia.

Mr. O'CONNOR of New York. Are all the prohibition cases handled in that way in the District of Columbia?

Mr. BACHMANN. That is my understanding; the police court handles petty cases like traffic violations, and so forth.

Mr. STEVENSON. The Supreme Court of the District of Columbia occupies the same place as the district courts of the United States?

Mr. BACHMANN. Exactly, the gentleman is right. Next to the District of Columbia, more cases were completed in the southern district of New York, where 41,324 cases were terminated during the period. The eastern district of New York was next with 21,002 cases completed, and the eastern district of Kentucky next with 14,519 cases completed.

CASES PENDING

By cases pending is meant the number of cases remaining on the court dockets which the courts have been unable to dispose of.

At the end of the fiscal year 1926 there were 94,919 civil, private, and criminal cases pending in all the Federal courts. At the end of the fiscal year 1929 there were 89,540 civil, private, and criminal cases pending. In other words, there were 5,379 fewer cases pending in 1929 than there were in 1926. At the average rate the cases are being disposed of each year, it would take the courts approximately one year to dispose of all pending cases alone.

Of the 89,540 cases of all kinds pending at the end of the fiscal year 1929, 58,162 were civil and private cases, while 31,378 were criminal cases. In other words, approximately 65 per cent of the pending cases were civil and private and 35 per cent were criminal cases. According to the large volume of civil and private cases pending on the dockets, it is apparent that the courts are unable to dispose of them due to the excessive number of criminal cases necessary to be heard.

It is interesting to note that of the 31,378 criminal cases pending at the end of the fiscal year 1929, 18,650, or approximately 59 per cent, were prohibition cases.

The southern district of New York, with a total of 11,354 civil, private, and criminal cases pending at the end of the fiscal year 1929, had more pending cases than any other district in the United States. The eastern district of New York, with a total of 8,803 pending civil and private cases, had more civil

and private cases pending at the end of the fiscal year 1929 than any other district, while the District of Columbia, with 3,076 cases, had more criminal cases pending than any other district.

Mr. O'CONNOR of New York. Mr. Speaker, will the gentleman yield?

Mr. BACHMANN. Yes.

Mr. O'CONNOR of New York. Of course, these figures have been discussed a number of times when the question was up about increasing the judges in both of those districts, and the figures which the gentleman gives for the number of cases pending in both those courts are infinitesimal compared with the number of cases pending in the State courts in the same districts and in the same locations. Where the gentleman mentions 8,000 or 11,000 it will run to 30,000 in the State courts having about the same jurisdiction.

Mr. BACHMANN. If I started to analyze the situation in all of the State courts in every State of the Union, we would have such a mass of figures here that we could not comprehend them.

Mr. O'CONNOR of New York. But where you have a big place like New York, with a congested population, you are bound to have this large number of cases pending, no matter what you do about it. The State courts have tried adding judges and have not succeeded one bit. The southern district of New York and the eastern district of New York have tried adding judges and they have not cut down the calendar. This is a condition that is just like the traffic condition. As fast as they build subways, they will be overcrowded, and as fast as you increase the personnel of the courts, they will be overcrowded with cases, and you will never catch up with them.

Mr. BACHMANN. But the gentleman understands there is a contrary view to that expressed by the gentleman, because the President of the United States and the Attorney General and some of the senior circuit court judges of the circuit court of appeals in this country, recognizing these conditions, have suggested as a remedy some additional district judges in these most congested districts.

Mr. O'CONNOR of New York. I have said on this floor before that I have yet to find a judge or a bar association or hardly a lawyer who is against more judges. They are all intuitively and innately for them, from the circuit court down.

Mr. BACHMANN. I think the gentleman is right about that in some instances.

New Hampshire, with 59 civil, private, and criminal cases pending, had the least number of cases pending at the end of the fiscal year 1929. New Hampshire also had the least number of civil and private cases pending at the end of the fiscal year 1929, while Delaware, with 7, had fewer criminal cases pending.

There were 45,761 total cases pending at the end of the fiscal year 1929 in the States of New York, Pennsylvania, Illinois, New Jersey, and the District of Columbia, while there was only a total of 43,779 cases pending in the remaining 44 States of the Union. In other words, there were more cases pending in the 4 States mentioned and the District of Columbia than in all of the 44 other States combined.

It can readily be seen from an examination of the business of each of the Federal districts that the congestion is only "spotty"; that is, confined to a few districts and not general throughout all the States.

RECOMMENDATIONS OF THE COMMISSION ON LAW OBSERVANCE

The Commission on Law Observance considered three plans for relieving this congestion: One, to increase the number of Federal judges; another, to create inferior Federal courts to be known as Federal police courts; and the third, to utilize the present machinery of the courts by enlarging the powers of the United States commissioners. The commission recommended the third plan, that of enlarging the powers of the United States commissioners.

Mr. GARBER of Oklahoma. Mr. Speaker, will the gentleman yield?

Mr. BACHMANN. Yes.

Mr. GARBER of Oklahoma. Is it not clear that the acceptance of the first recommendation, the appointment of additional Federal judges, ultimately will be the safest course and provide the most efficient and prompt dispatch of legal business as well as the most economical?

Mr. BACHMANN. The gentleman from Oklahoma is entirely correct. I will say to the gentleman that in the past week I introduced 16 bills asking for the appointment of 18 additional Federal judges. Those bills were introduced after I had had time and opportunity to study the facts in each Federal district, and I considered very carefully the private and civil litigation pending as well as the number of civil and private cases commenced and terminated. I was guided in my proposal of this legislation by the facts I found. I believe the appoint-

ment of these additional judges will relieve the congested conditions prevailing in our Federal courts. The President, the Attorney General, and the Commission on Law Observance all agree that we have this congestion. We have 148 district judges in the United States, who disposed of one-half million cases in four years. That is an average of over 800 cases per judge per year. That is a vast amount of work. Some of our district judges are breaking in health on account of excessive work, especially in Texas and Minnesota.

Mr. RAMSEYER. Will the gentleman yield?

Mr. BACHMANN. I yield.

Mr. RAMSEYER. The gentleman from West Virginia [Mr. BACHMANN] speaks of 800 cases, on an average, for each Federal district judge. That of itself does not mean a great deal. The gentleman knows, as he stated a while ago, that 92 per cent of the prohibition cases are concluded by pleas of guilty.

Mr. BACHMANN. Yes.

Mr. RAMSEYER. The gentleman knows there are a great many civil cases filed, which are settled out of court, but before the figures mean anything at all—that is, an average of 800 per judge—we would have to know how many cases actually went to trial and how much of the time of the judge was required for their trial.

Mr. BACHMANN. I can not tell the gentleman from Iowa [Mr. RAMSEYER] how many cases were actually terminated in court.

Mr. RAMSEYER. Terminated, how?

Mr. BACHMANN. By final disposition, either by compromise or trial.

Mr. RAMSEYER. But, if they are compromised they may not take a minute of the time of the judge.

Mr. BACHMANN. I assume in a good many of the compromised cases the judge would have been required to pass on the pleadings and consider preliminary motions prior to the time of compromise.

Mr. RAMSEYER. That may or may not have involved the time of the judge.

Mr. BACHMANN. I agree with the gentleman.

Mr. RAMSEYER. I have often seen figures as to the number of cases pending in Federal courts, and a plea made for an additional judge because of the heavy docket. Figures of that kind are meaningless. There must be some other way of judging the amount of work which a judge does than merely statistics as to the number of cases.

Mr. BACHMANN. The gentleman from Iowa [Mr. RAMSEYER] is absolutely right. Before a thorough understanding of the situation is had, there must be two or three different things considered. First, the amount of business that is transacted according to the number of cases, must be known. That is an element which must be considered. Secondly, the character and nature of the work must be considered in that particular court. The character and nature of the work must be secured from the judge himself, or the senior circuit judge of the circuit court of appeals having jurisdiction, and from the Attorney General. If the judges and the Attorney General do not know about the character and nature of the work, how can it be ascertained? All these facts must be considered in deciding whether or not additional judges are necessary.

Mr. RAMSEYER. I think the gentleman is correct, that the judgment of the Attorney General and the conference of senior circuit judges should be given great weight, although not be accepted as conclusive proof. One case which a judge must try may take more time and work than 100 other cases that are disposed of in one way or another.

Mr. BACHMANN. That is true, but, the gentleman from Iowa [Mr. RAMSEYER] will understand that I have no plan and no program about this entire affair. Being a member of the Committee on the Judiciary I was asked to examine the records of each Federal district for the last four years, in order to ascertain the amount of business transacted in the Federal courts. I have spent the last five or six weeks getting that information together to present to the Judiciary Committee and the House.

Mr. RAMSEYER. I want to say to the gentleman from West Virginia [Mr. BACHMANN] that the gentleman has done a great deal of conscientious, intelligent work on the task to which he was assigned, and the information he is giving us now and which he gave us on the 7th of March is not only valuable to the membership of the House but to the country, and especially the bar of the country.

Mr. CHRISTOPHERSON. Will the gentleman yield?

Mr. BACHMANN. I yield.

Mr. CHRISTOPHERSON. Is not the delay which occurs in the trial of civil cases—that is, the length of time that elapses between the time a civil suit is filed and the time it can be

brought to trial—good evidence of the congestion in the Federal courts?

Mr. BACHMANN. Yes; that is true.

Mr. CHRISTOPHERSON. That is an indication of the congestion?

Mr. BACHMANN. Yes; it is.

I want to call the attention of the Members of the House to the fact that when the Jones law was enacted it automatically required an indictment for every violation of the national prohibition act save and except unlawful possession and maintaining a nuisance. Prior to that time the district attorney could proceed in misdemeanor cases by information or complaint, and did not have to submit the cases to a grand jury. Since the enactment of the Jones law every case is a potential felony and must be submitted to a grand jury, save and except cases of unlawful possession and maintaining a nuisance.

After calling attention to the fact that the plan involves several constitutional questions the commission suggested that these questions might be overcome by amending the Jones law.

The suggested amendment is to define "slight and casual" violations and to provide for penalties in those cases such as to keep them within the category of petty offenses.

The commission suggests that a new paragraph be added to section 29, Title II, of the national prohibition act, making the penalty for each petty offense a fine of not to exceed \$500 or confinement in jail, without hard labor, not to exceed six months, or both.

It can readily be seen, and I do not think it can be seriously doubted, that before the commission's plan, to have the United States commissioners hear these petty offenses, can be put into operation it will be necessary to first amend the Jones law by defining these petty offenses. As it is now, all offenses under the Jones law, except unlawful possession and maintaining a nuisance, are potential felonies. Consequently there are no petty offenses that the United States commissioners could hear other than those of unlawful possession and nuisance.

Apparently considerable opposition has developed to these proposals. Certain groups are opposed to any amendment to the Jones law because it is claimed it will reduce the penalties for substantial violations of the prohibition law as now provided by that law. Certain groups are opposed to conferring this power on the United States commissioners because it is claimed it will interfere with the constitutional right of trial by jury.

Mr. MOORE of Virginia. Mr. Speaker, will the gentleman yield there?

Mr. BACHMANN. Yes.

Mr. MOORE of Virginia. Is the gentleman prepared to say that relief would be afforded to any extent by an act which would authorize the defendant in any case to waive a trial by jury?

Mr. BACHMANN. If you will refer to the Record of March 7, 1930, you will find in my remarks that about 92 per cent of those convicted for violations of the national prohibition law plead guilty.

Mr. MOORE of Virginia. I think the gentleman must realize that there are many serious criminal cases that it takes a long time to try with a jury, and relief might be given by allowing a jury to be waived.

Mr. BACHMANN. I am not prepared at this moment to discuss that.

Mr. MAAS. Mr. Speaker, will the gentleman yield there?

Mr. BACHMANN. Yes.

Mr. MAAS. If there were no Federal prohibition law there would be no congestion in our Federal courts, would there?

Mr. BACHMANN. No; I do not believe that. The enormous increase in civil, private, and criminal litigation has added considerable congestion in our Federal courts. Prohibition has contributed to the congestion in a great measure.

Mr. MAAS. It has largely contributed to it, has it not?

Mr. BACHMANN. I do not doubt that.

Mr. MAAS. The increase has been out of proportion to the increase in the normal population?

Mr. BACHMANN. No; I do not think so.

Mr. MOORE of Virginia. May I ask the gentleman whether he has considered the expediency of increasing the jurisdictional amount in civil litigation that goes into the district courts beyond \$3,000?

Mr. BACHMANN. I have not gone into that phase of the question.

With this situation, it is very doubtful whether any legislation in accordance with the recommendation of the Commission on Law Observance, will be enacted at this time. Consequently, the Congress is faced with the problem of either leaving the matter as it is, or relieving the congestion by the enactment of legislation for the appointment of additional judges.

Mr. CHRISTOPHERSON. Mr. Speaker, will the gentleman yield?

Mr. BACHMANN. Yes.

Mr. CHRISTOPHERSON. Right along that line, is it not a fact that Congress from year to year is enacting laws creating new crimes and adding work for the Federal courts, and must we not recognize that and increase the Federal judiciary from time to time to keep up with the new laws that we are passing from year to year?

Mr. BACHMANN. The gentleman is absolutely right. Every session of Congress we enact legislation, legislating some citizen of the United States to the penitentiary, and every time we enact a criminal law making more penalties, we bring into our Federal courts more criminal cases. For instance, at this session of Congress the House passed a bill giving the Federal courts jurisdiction in larceny cases where the stolen property was transported to another State and where the amount involved was over \$300, as the gentleman knows.

Personally, I am of the opinion that by providing additional judges in the following districts, the congestion which now exists will be greatly relieved.

Mr. LAGUARDIA. Mr. Speaker, will the gentleman yield?

Mr. BACHMANN. Yes.

Mr. LAGUARDIA. Of course one law that was enacted is the cause of 50 per cent of the present population of our Federal and State prisons, where they have also local laws.

Mr. BACHMANN. I have those figures and expect to touch on that situation a little bit later, though not to-day; but I say to the gentleman that, so far as I have gone in this survey, not 50 per cent of the prisoners in the Federal penitentiaries and not 50 per cent of the prisoners in the State penitentiaries are there because of the violation of any one law.

Mr. LAGUARDIA. Very nearly that amount?

Mr. BACHMANN. There are about one-fourth of the prisoners in the Federal penitentiaries who are there for violation of the prohibition law, and I think that is what the gentleman refers to; but only about one-tenth of the prisoners confined in the State penitentiaries are there for violation of the State prohibition laws.

Mr. DUNBAR. Mr. Speaker, will the gentleman yield there?

Mr. BACHMANN. Yes.

Mr. DUNBAR. Does not the gentleman believe that the penal institutions of the United States are so overcrowded that it is practically inhuman to put any more burden on those penitentiaries, and that it is a reflection on our civilization that more unfortunate men will have to endure the crowded conditions that are imposed on them?

Mr. BACHMANN. I will answer that in a speech which I contemplate making at a future time. The Federal penitentiaries are not overly congested with prisoners who have violated the national prohibition act. Only about one-fourth of the inmates of all the Federal penitentiaries are there for violations of the prohibition law. But every Federal penitentiary is overcrowded. They have about 4,000 more prisoners in all the Federal prisons than the capacity of those institutions. When you talk about the State penitentiaries I may say that I have letters from nearly all the State penitentiaries giving information which I have asked for, which I believe will show that fewer inmates are confined in the State penitentiaries for violation of the State prohibition laws, in proportion, than are confined in the Federal penitentiaries for violations of the national prohibition act.

DISTRICT OF COLUMBIA

There are seven judges in the Supreme Court of the District of Columbia.

For the last four fiscal years there were commenced in the District of Columbia 1,027 civil cases, 15,529 private cases, and 49,187 criminal cases, or a total of 65,743 cases.

For the fiscal year 1926 there was a total of 14,415 cases commenced, while for the fiscal year 1929 there was a total of 17,433 cases commenced, showing that there were 3,018 more cases commenced in 1929 than there were in 1926, which means that the business of the courts is on the increase.

At the end of the fiscal year 1926 there was a total of 7,148 cases pending, while at the end of the fiscal year 1929 there was a total of 7,415 cases pending, showing that the number of pending cases is also increasing.

Twenty-five per cent of the cases commenced were civil and private cases, while 75 per cent were criminal cases.

There were more criminal cases commenced during the 4-year period in the District of Columbia than in any other State or District in the United States. In fact there were more criminal cases commenced in the District of Columbia than in the 28 combined States of Alabama, Arizona, New Jersey, Montana, Mississippi, South Carolina, Virginia, Massachusetts, Nebraska, Wisconsin, Indiana, Iowa, Idaho, Oregon, Colorado, New Mex-

ico, New Hampshire, South Dakota, Nevada, Maine, Vermont, Kansas, Utah, Connecticut, North Dakota, Delaware, Rhode Island, and Wyoming. This may or may not be significant, because many criminal cases are disposed of by the State courts in the States, while in the District of Columbia all criminal cases are disposed of in the Federal courts.

Of all the criminal cases commenced in the District of Columbia, 8,292, or approximately one-sixth, were prohibition cases.

The seven judges in the Federal court of the District of Columbia terminated 63,268 cases in the 4-year period, or an average of 9,038 cases for each judge for that period. This shows a yearly average of 2,259 cases terminated by each of the seven judges.

It is believed that provision should be made for two additional judges for the District of Columbia.

NEW YORK

The business conducted by the courts in the State of New York is unusually heavy. It must be remembered that there is a population of about 11,000,000 in that State. It must also be remembered that New York does not have a State prohibition law, and that the whole load of prohibition enforcement is on the Federal courts.

During the 4-year period there were 15,013 civil cases commenced, 15,510 private cases, and 47,896 criminal cases, a total of 78,419 cases commenced. Of the total cases commenced, 61 per cent were criminal cases. Of the criminal cases commenced 42,899, or 89 per cent, were prohibition cases.

There are four Federal districts in the State of New York, with 17 presiding judges.

In the northern district there was a total of 11,300 cases commenced for the period; in the eastern district 20,085; in the southern district 38,277; and in the western district 8,757.

For the fiscal year 1926 there was a total of 17,197 cases commenced in the State, while for the year 1929, 21,741 cases were commenced, showing there were 4,544 more cases commenced for the year 1929 than were commenced in the year 1926, which means that the business of the Federal courts in the State of New York is on the increase.

There was a total of 29,318 cases pending in all four districts of the State for the fiscal year 1926. At the end of the fiscal year 1929, 26,399 cases were pending.

Of all the pending cases for the fiscal year 1929, 5,270 were civil, 13,774 were private, and 6,815 were criminal cases.

At present there are two judges in the northern district, five in the eastern district, eight in the southern district, and two in the western district.

There were nine judges in the southern district, but Judge Winslow resigned, and the act providing for an additional judge to which place Judge Winslow was appointed, provided there was to be no successor.

It is believed that there should be an additional judge for the northern district, one for the eastern district, two in the southern district, and one in the western district, of New York, a total of five additional judges for the State.

WEST VIRGINIA

There is a very large volume of business transacted by the two Federal courts in West Virginia. While West Virginia ranks twenty-sixth in population, it ranks seventh in the volume of business commenced in its Federal courts, and fifth in the number of criminal cases commenced. In fact there were one-fifth as many cases commenced in West Virginia during the 4-year period, as were commenced in the State of New York. New York has 17 judges while West Virginia has two.

During the 4-year period there were 1,932 civil cases commenced, 658 private cases, and 12,589 criminal cases, a total of 15,179 cases.

Of all the cases commenced, 82 per cent were criminal cases. Of the criminal cases commenced, 10,789, or 85 per cent, were prohibition cases.

There were more cases commenced in the State of West Virginia than in the combined 13 States of Idaho, New Hampshire, New Mexico, South Dakota, Nevada, Maine, North Dakota, Connecticut, Vermont, Utah, Delaware, Rhode Island, and Wyoming.

For the fiscal year 1926 there was a total of 3,652 cases commenced, while there was a total of 3,654 cases commenced for the fiscal year 1929.

At the end of the fiscal year 1926 there was a total of 1,645 cases pending, and at the end of the fiscal year 1929 there was a total of 1,476 cases pending.

Of the cases pending at the end of the fiscal year 1929, 341 were civil, 253 were private, and 882 were criminal cases.

There are two Federal districts in West Virginia, with one judge for each district. It is believed that because of the large number of cases in West Virginia an additional district should

be created. There are sufficient places for holding court already provided, and if a new district were created very little additional expense would be needed.

KENTUCKY

Like West Virginia, there is a large number of cases handled each year in Kentucky.

For the 4-year period there were 1,411 civil cases, 1,168 private, and 16,094 criminal cases commenced, or a total of 18,673 cases commenced.

Of all the cases commenced, 86 per cent were criminal cases. Of the criminal cases commenced 13,828, or 85 per cent, were prohibition cases.

There was a total of 4,897 cases commenced for the fiscal year 1926, and 5,199 cases commenced for the fiscal year 1929, an increase of 302 cases in the fiscal year 1929.

For the fiscal year 1926 there was a total of 2,099 cases pending, while at the end of the fiscal year 1929, there was a total of 1,179 cases pending.

Of the cases pending at the end of the fiscal year 1929, 227 were civil cases, 438 private, and 514 criminal cases.

With a total of 16,094 criminal cases commenced during the period, Kentucky ranks third of all the States of the Union in the number of criminal cases commenced. It is surpassed only by the State of New York and the District of Columbia.

There were one-third as many criminal cases commenced in Kentucky as were commenced in the State of New York.

Mrs. LANGLEY. May I interrupt the gentleman?

Mr. BACHMANN. Yes.

Mrs. LANGLEY. The gentleman knows there are two districts in Kentucky, the eastern and western districts. Is it not a fact that in the eastern district of Kentucky there is a greater volume of business than in any other district in the United States? Is that not a fact?

Mr. BACHMANN. Well, I would not say there is more business in the eastern district of Kentucky than in any other district in the United States, but I will say that the eastern district of Kentucky ranks fourth of the 85 Federal judicial districts in the United States in the volume of business commenced in that State. It is exceeded only by the District of Columbia, the southern district of New York, and the eastern district of New York.

Mrs. LANGLEY. Does not the gentleman's survey or investigation show that there must be some relief in the eastern district of Kentucky?

Mr. BACHMANN. I am inclined to believe that Congress ought to give some relief to the State of Kentucky as soon as possible.

Mrs. LANGLEY. The gentleman is familiar with the bill I have pending before the Judiciary Committee creating a third judicial district, to be known as the southern district?

Mr. BACHMANN. Yes.

Mrs. LANGLEY. Knowing, as the gentleman does, that it contains a mountainous area and that the facilities of travel are very difficult in that section, is it not the opinion of the gentleman that the greatest relief for that section will be in the creation of this district?

Mr. BACHMANN. I have said you ought to have an additional judge or district in Kentucky, but as I understand that is a controversial question at this time.

Mrs. LANGLEY. What is the gentleman's final conclusion?

Mr. BACHMANN. I would think you ought to have a new district, and there is no question but what you should have either an additional judge or a new district.

There are two Federal districts in Kentucky and two judges.

Mr. THATCHER. Will the gentleman yield?

Mr. BACHMANN. Yes.

Mr. THATCHER. Is it not true that in the western district of Kentucky we feel we are entitled to relief just the same as they feel they are entitled to relief in the eastern district?

Mr. BACHMANN. I do not want to get mixed up in your political controversies in Kentucky. That can be fought out in the Judiciary Committee.

Mr. RAMSEYER. Do they want three or six new judges in Kentucky?

Mr. BACHMANN. I will say to the gentleman from Iowa that they only have two judges in the State of Kentucky, and yet that State is doing one-fourth as much business as they are doing in New York, and the State of New York has 17 judges.

CALIFORNIA

The State of California has two Federal districts, with three judges in each district.

During the 4-year period there were 3,579 civil cases, 3,087 private, and 7,937 criminal cases commenced in the State, a total of 14,513 cases.

Of the cases commenced, 55 per cent were criminal cases. Of the criminal cases commenced, 4,420, or 55 per cent, were prohibition cases.

For the fiscal year 1926 there was a total of 3,373 cases commenced, while for the fiscal year 1929 there was a total of 3,975 cases commenced, showing there were 602 more cases commenced in 1929 than in 1926. Business of the Federal courts in the State of California is on the increase. The northern district is carrying the largest load, with a total of 8,957 cases commenced during the period. A total of 5,556 cases were commenced in the southern district of the State.

At the end of the fiscal year 1926 there was a total of 3,460 cases pending in the State, while at the end of the fiscal year 1929 there was a total of 2,969 cases pending, a decrease of 491 cases.

Of the total number of cases pending at the end of 1929, 1,330 were pending in the northern district and 1,639 in the southern district.

California ranks eighth among the States in the number of cases commenced.

Because of the increase of business in the State of California, it is believed that an additional judge should be provided who would be appointed to serve in both the northern and southern districts.

OKLAHOMA

In the State of Oklahoma there are three Federal districts, with one judge for each district.

For the 4-year period there were 957 civil cases, 2,737 private cases, and 9,910 criminal cases, a total of 13,604 cases commenced in the State.

Of all the cases commenced, 72 per cent were criminal cases. Of the criminal cases commenced, 6,302, or 63 per cent, were prohibition cases.

For the fiscal year 1926 there was a total of 3,214 cases commenced, and 3,403 for the fiscal year 1929; 189 more cases were commenced in 1929 than were commenced in 1926.

There was a total of 4,616 cases commenced in the northern district, 5,181 in the eastern district, and 3,807 in the western district during the period. More cases were commenced in the eastern district than in either of the other two districts of the State.

At the end of the fiscal year 1926 there was a total of 2,232 cases pending in all three districts of the State. At the end of the fiscal year 1929 there was a total of 2,466 cases pending, an increase of 234 cases. At the end of the fiscal year 1929 there was a total of 83 cases pending in the northern district, 619 in the eastern district, and 1,016 in the western district.

Oklahoma ranks tenth among the States of the Union in the number of cases commenced during the period.

It is believed that the business conducted in the Federal courts of the State of Oklahoma is sufficient to warrant an additional judge who would be appointed to serve in all three districts.

MISSOURI

There were 1,052 civil cases, 3,131 private cases, and 7,494 criminal cases, a total of 11,677 cases commenced in the State of Missouri for the period.

Of all the cases commenced, 63 per cent were criminal cases. Of all the criminal cases commenced, 4,935, or 65 per cent, were prohibition cases.

For the fiscal year 1926 there was a total of 2,690 cases commenced, while for the fiscal year 1929 there was a total of 3,295 cases commenced, an increase for 1929 over 1926 of 605 cases.

There was a total of 5,866 cases commenced in the eastern district and a total of 5,811 cases commenced in the western district during the period.

At the end of the fiscal year 1926 there was a total of 1,770 cases pending in both districts, while at the end of the fiscal year 1929 there was a total of 1,979 cases pending in both districts, an increase for 1929 over 1926 of 209 cases.

At the end of the fiscal year 1929 there was a total of 780 cases pending in the eastern district and 1,199 cases pending in the western district.

Missouri ranks twelfth among the States of the Union in the number of cases commenced. There are two Federal districts in the State, with two judges for each district. It is believed that the business transacted in the Federal courts of the State warrants an additional judge to serve in both districts.

WASHINGTON

The State of Washington has two Federal districts with one judge in the eastern district and two judges in the western district.

There were 1,428 civil, 962 private, and 4,223 criminal, a total of 6,613 cases commenced in the State of Washington during the 4-year period.

Of all the cases commenced 63 per cent were criminal cases. Of the criminal cases commenced 3,151, or 47 per cent, were prohibition cases.

For the fiscal year ending 1926 there was a total of 1,789 cases commenced, while for the fiscal year 1929 there was a total of 1,666 cases commenced, a decrease of 123 cases.

There was a total of 5,476 cases, or 82 per cent of all the cases commenced, commenced in the western district. The work has been so heavy in this district that it has been necessary to have outside assistance.

During the fiscal year 1926 there was a total of 1,058 cases pending in the State, 890 of which were pending in the western district. At the end of the fiscal year 1929 there was a total of 1,003 cases pending in the State, 816 of which were pending in the western district.

The western district of Washington ranks 26th in the number of cases commenced in all the 85 districts of the United States.

It is believed that because of the large number of cases commenced in this district that an additional judge should be provided for the western district of Washington.

GEORGIA

In the State of Georgia there are three Federal districts with a judge in each district.

During the period there were 1,563 civil, 1,202 private, and 8,603 criminal, a total of 11,368 cases commenced in the State.

Of all the cases commenced, 75 per cent were criminal. Of the criminal cases commenced, 6,861 or 79 per cent were prohibition cases.

For the fiscal year 1926 there was a total of 2,241 cases commenced in the State, while for the fiscal year 1929, there was a total of 2,868, an increase of 627 cases commenced.

There was a total of 5,627 cases commenced in the northern district of Georgia during the period, and a total of 5,741 cases commenced in the other two districts combined. In other words there were as many cases commenced in the northern district as were commenced in both the middle and southern districts put together.

During the fiscal year 1926 there was a total of 3,976 cases pending in the State, 2,028 of which were pending in the northern district, while at the end of the fiscal year 1929, there was a total of 2,755 cases pending in the State, with 1,724 or 62 per cent pending in the northern district. At the end of the fiscal year 1929 there were 693 more cases pending in the northern district alone than in the other two districts combined.

The northern district of Georgia ranks twenty-fourth in the number of cases commenced. It is believed that because of the large number of cases pending in the northern district an additional judge should be provided for that district.

LOUISIANA

In the State of Louisiana, with two Federal districts and a judge for each district, 1,187 civil, 858 private, and 5,244 criminal, a total of 7,289 cases, were commenced during the period.

Of all the cases commenced 71 per cent were criminal cases. Of the criminal cases commenced 3,906, or 74 per cent, were prohibition cases.

For the fiscal year 1926 there was a total of 1,491 cases commenced, while for the fiscal year 1929 there was a total of 1,925 cases commenced, an increase of 434 cases for the year 1929 over 1926.

Of the total cases commenced in the State 5,717, or 78 per cent, were commenced in the eastern district.

During the fiscal year 1926 there was a total of 1,062 cases pending in the State, 844, or 79 per cent, of which were pending in the eastern district. At the end of the fiscal year 1929 there was a total of 542 cases pending in the State, 419, or 77 per cent, of which were pending in the eastern district.

The eastern district of Louisiana ranks twenty-third in the number of cases commenced.

It is believed because of the large number of cases in the eastern district that an additional judge should be provided for that district.

TEXAS

In the State of Texas during the 4-year period there were 2,044 civil, 3,227 private, and 15,246 criminal cases, a total of 20,517 cases commenced.

Of all the cases commenced 74 per cent were criminal cases. Of the criminal cases commenced 9,362, or 61 per cent, were prohibition cases.

For the fiscal year 1926 there was a total of 4,013 cases commenced, while for the fiscal year 1929 there was a total of 5,006 cases commenced, an increase for the year 1929 over 1926 of 993 cases.

The congestion in the State of Texas is in the southern district. There is only one judge in the southern district and there were 5,333 cases commenced in that district alone during

the 4-year period, while there were 6,087 cases commenced in the northern district with three judges, and 6,901 cases commenced in the western district with two judges.

For the year 1926 there was a total of 1,693 cases pending in the State, 470, or 27 per cent, of which were pending in the southern district. At the end of the fiscal year 1929 there was a total of 1,612 cases pending in the State, 473, or 29 per cent, of which were pending in the southern district.

The southern district of Texas ranks twenty-eighth in the number of cases commenced.

There are at present four Federal districts in the State. Three judges preside in the northern district, 1 in the eastern, 1 in the southern, and 2 in the western district, a total of 7 Federal judges for the State.

It is believed that because of the volume of business commenced in the southern district of Texas, an additional judge should be provided.

MICHIGAN

During the 4-year period there were 3,991 civil, 1,443 private, and 7,814 criminal, a total of 13,248 cases commenced in the State of Michigan.

Of all the cases commenced, 55 per cent were criminal cases. Of the criminal cases commenced, 5,053, or 64 per cent, were prohibition cases.

For the fiscal year 1926 there was a total of 2,586 cases commenced, while for the fiscal year 1929 there was a total of 3,862 cases commenced, an increase for the year 1929 over the year 1926 of 1,276 cases commenced.

The congestion in the State of Michigan is in the eastern district. Of a total of 13,248 cases commenced in the State, 11,553, or 87 per cent, were commenced in the eastern district. There was a total of 2,198 cases commenced in this district in the fiscal year 1926, while in the fiscal year 1929, 3,376 cases were commenced, an increase over 1926 of 1,178 cases commenced.

At the end of the fiscal year 1926 there was a total of 1,084 cases pending in the State, 883, or 81 per cent, of which were pending in the eastern district. At the end of the fiscal year 1929 there were 1,696 cases pending in the State, 1,577, or 93 per cent of which were pending in the eastern district. There was an increase of 694 in the number of pending cases at the end of the fiscal year 1929 over 1926 in the eastern district.

The eastern district of Michigan ranks eighth in the number of cases commenced.

At present there are two Federal districts in Michigan, with 3 judges in the eastern district and 2 judges in the western district, a total of 5 judges for the State.

Because of the large increase in the number of cases commenced in the eastern district, as well as the large increase in the number of pending cases, it is believed that an additional judge should be provided for the district.

FIFTH CIRCUIT COURT OF APPEALS

At present there are three circuit judges of the fifth circuit court of appeals. The circuit includes the States of Alabama, Florida, Georgia, Louisiana, Mississippi, Texas, and the Canal Zone, and composes 17 Federal districts, with 22 district courts. Last year there were 271 cases to be disposed of by the three judges in the circuit. The conference of senior circuit judges last October held that this was too many cases and recommended an additional judge for the circuit.

Hon. Richard W. Walker, senior judge of the circuit recently requested an additional circuit judge saying that an "additional judge is urgently needed."

Because of the excessive number of cases in the circuit, it is believed that an additional judge should be provided for the fifth circuit court of appeals.

Mr. LA GUARDIA. Will the gentleman yield?

Mr. BACHMANN. I yield.

Mr. LA GUARDIA. The gentleman has spent weeks and weeks in the preparation of the information which he is now giving to the House. Some of the Members are anxious to get a complete and comprehensive idea of the information. Will the gentleman continue with his statement and yield to interruptions after he has completed?

Mr. BACHMANN. I am afraid I can not complete it in the time I have.

Mr. SCHAFER of Wisconsin. Will the gentleman yield?

Mr. BACHMANN. I yield.

Mr. SCHAFER of Wisconsin. I suggest that we would not need any more Federal judges if the House would do the wise thing and repeal the Jones law and repeal the eighteenth amendment.

Mr. BACHMANN. I can not agree with my friend from Wisconsin on that question, because additional judges in some districts would still be required because of the heavy civil and private litigation pending in those courts.

The SPEAKER pro tempore. The time of the gentleman from West Virginia [Mr. BACHMANN] has expired.

Mr. LA GUARDIA. Mr. Speaker, I ask unanimous consent that the gentleman from West Virginia [Mr. BACHMANN] may proceed for 15 additional minutes, without interruption.

The SPEAKER pro tempore. The gentleman from New York [Mr. LA GUARDIA] asks unanimous consent that the gentleman from West Virginia [Mr. BACHMANN] may proceed for 15 additional minutes. Is there objection?

Mr. RANKIN. Mr. Speaker, reserving the right to object, can the gentleman from West Virginia [Mr. BACHMANN] not finish in five minutes?

Mr. BACHMANN. I can by eliminating part of my prepared remarks.

Mr. LA GUARDIA. May we not compromise on 10 minutes?

Mr. RANKIN. I will compromise with the gentleman from New York [Mr. LA GUARDIA] once, and consent that the gentleman from West Virginia [Mr. BACHMANN] may proceed for 10 additional minutes.

The SPEAKER pro tempore. The request of the gentleman from New York [Mr. LA GUARDIA] has been modified to extend the time of the gentleman from West Virginia [Mr. BACHMANN] for 10 additional minutes. Is there objection?

There was no objection.

FEDERAL DISTRICT JUDGES

Mr. BACHMANN. There are now 85 Federal judicial districts in the United States, not including Alaska, Hawaii, and Porto Rico, with 148 presiding judges. During the fiscal year 1929 there was a total of 128,185 cases commenced in combined districts. Had it been possible to dispose of this number of cases in the fiscal year, each of the 148 district judges would have had to hear 866 cases, or an average of almost 3 cases per day.

Mr. COX. Mr. Speaker, will the gentleman yield?

Mr. BACHMANN. Yes.

Mr. COX. I take it from what the gentleman says that it is his judgment that the prohibition cases are responsible for the congested condition in the Federal courts.

Mr. BACHMANN. Not necessarily. The progress that we have made in this country and the changing economic and social conditions is such that the Federal judiciary has been unable to keep pace with those changing conditions, and in some of these States, not only prohibition cases but other criminal cases, civil cases, and private litigation are responsible for the congestion.

Mr. COX. Since most of the States have prohibition laws that are quite as severe as the Federal law, and since there is a determination in most of the States to enforce those laws with equal severity, if not greater than the enforcement of the Federal law in the Federal courts, I am wondering whether the gentleman has given any thought to the question as to what relief might be obtained from this congested condition if the Federal officers would use the machinery for such cases provided by the States? In other words, take the cases into the State courts.

Mr. BACHMANN. That would be in part a good solution of the question, but the tendency, as I understand it, is for a good many of the Federal officers in the enforcement of the prohibition law to take cases from the State courts and transfer them into the Federal courts.

Mr. COX. That is true, but that practice, as I take it, is gradually being abandoned.

NEEDED LEGISLATION

Mr. BACHMANN. I have heretofore called attention to the fact that the President has recommended to the Congress that legislation of considerable importance should be enacted to relieve the congestion existing in the Federal courts in order that the law of the land may be properly enforced.

Up until this time no legislation of this character has been enacted.

The burden of enforcing the law is upon the President, and unless the Congress will enact legislation which will enable him to properly enforce the law, his program for law enforcement can not proceed as it should.

Mr. PALMER. Will the gentleman yield?

Mr. BACHMANN. Yes.

Mr. PALMER. The gentleman says we must enact certain laws. Does not the gentleman realize we already have plenty of machinery and all that is necessary is to have it put into motion to enforce the law.

Mr. BACHMANN. I do not realize we have plenty of machinery in the Federal courts at the present time to relieve the situation. I recognize just to the contrary, that our Federal judiciary has not progressed as the economic and social conditions of the country have progressed. We have outgrown our Federal judiciary. The President says the same thing and the Attorney

General says the same thing. The Commission on Law Observance says the same thing.

Mr. PALMER. I think we have adequate laws if we had officers who would go to work and enforce the laws.

Mr. BACHMANN. The number of arrests made does not necessarily mean that the law is being enforced. There must be adequate courts in which violators of the law may be punished. If there are not sufficient courts to try the cases and impose punishment, the law of the land can not be properly enforced.

There can be no doubt that due to the congestion existing in some of the district courts the law is not being properly enforced; and if the Congress refuses to enact legislation to relieve the situation certainly it will be grossly unfair to criticize the President, when, as a matter of fact, the Congress itself is at fault.

Legislation for the appointment of additional judges involves no constitutional controversy.

In a country whose population is rapidly increasing, whose social and economic conditions are continually advancing, it is only a natural sequence that litigation in the Federal courts must necessarily increase, and therefore the machinery of the courts must be adequate to cope with existing and changing conditions.

I am firmly of the opinion that proper relief from existing conditions in the Federal courts can be provided if Congress will enact legislation for the appointment of additional judges, as follows:

A circuit judge for the Fifth Circuit Court of Appeals.

Two judges for the Supreme Court of the District of Columbia.

One judge for the northern judicial district of New York.

Two judges for the southern judicial district of New York.

One judge for the eastern judicial district of New York.

One judge for the western judicial district of New York.

One judge for the western judicial district of Washington.

One judge for the northern judicial district of Georgia.

One judge for the eastern judicial district of Louisiana.

One judge for the southern judicial district of Texas.

One judge for the eastern judicial district of Michigan.

The SPEAKER pro tempore. The time of the gentleman from West Virginia has again expired.

Mrs. LANGLEY. Mr. Speaker, I ask unanimous consent that the gentleman may have one additional minute.

The SPEAKER pro tempore. The gentlewoman from Kentucky asks unanimous consent that the gentleman from West Virginia may proceed for one additional minute. Is there objection?

There was no objection.

Mr. BACHMANN. One judge for the two Federal judicial districts of Missouri.

One judge for the two Federal judicial districts of California.

One judge for the three Federal judicial districts of Oklahoma.

And the creation of a new Federal judicial district with one judge in the State of West Virginia.

And the creation of a new Federal judicial district in the State of Kentucky.

I will say to the Members of the House that following my remarks they will find the figures for each State in the Union for the fiscal years 1926, 1927, 1928, and 1929, the cases commenced, the cases terminated, the cases pending as well as the population in each State. [Applause.]

State	District	Cases commenced, beginning fiscal year 1926; ending fiscal year 1929			Cases terminated, beginning fiscal year 1926; ending fiscal year 1929			Cases pending, fiscal year 1926			Cases pending, fiscal year 1929			Number of district judges
		Civil and private	Criminal	Total	Civil and private	Criminal	Total	Civil and private	Criminal	Total	Civil and private	Criminal	Total	
Alabama	Northern	817	1,916	2,733	932	2,107	3,039	177	346	523	125	176	301	1
Do.	Middle	252	517	769	254	591	845	67	149	216	88	31	119	1
Do.	Southern	266	1,128	1,394	273	1,223	1,496	87	155	242	75	116	191	1
Total		1,335	3,561	4,896	1,459	3,921	5,390	331	650	981	288	323	611	
Arizona		662	3,313	3,975	587	3,179	3,766	234	257	491	266	377	643	2
Arkansas	Eastern	951	2,952	3,903	793	3,001	3,794	210	249	459	326	173	499	1
Do.	Western	762	1,215	1,977	807	1,486	2,293	166	393	559	140	166	306	1
Total		1,713	4,167	5,880	1,600	4,487	6,087	376	642	1,018	466	339	805	
California	Northern	3,873	5,084	8,957	4,805	6,201	11,006	1,063	665	1,728	956	374	1,330	3
Do.	Southern	2,703	2,853	5,556	2,339	3,297	5,636	854	878	1,732	1,162	477	1,639	3
Total		6,576	7,937	14,513	7,144	9,498	16,642	1,917	1,543	3,460	2,118	851	2,969	
Colorado		1,136	1,341	2,477	1,069	1,362	2,431	302	158	460	332	222	554	1
Connecticut		569	532	1,101	809	562	1,371	368	46	414	137	16	153	2
Delaware		424	358	782	405	401	806	149	30	179	183	7	190	1
District of Columbia		16,556	49,187	65,743	15,142	48,126	63,268	3,203	3,945	7,148	4,339	3,076	7,415	7
Florida	Northern	194	777	971	172	830	1,002	114	149	263	107	115	222	1
Do.	Southern	4,816	3,511	8,327	4,041	3,414	7,455	827	1,177	2,004	1,562	1,042	2,604	3
Total		5,010	4,288	9,298	4,213	4,244	8,457	941	1,326	2,267	1,669	1,157	2,826	
Georgia	Northern	1,497	4,130	5,627	1,657	4,593	6,250	433	1,595	2,028	334	1,390	1,724	1
Do.	Middle	564	2,273	2,837	632	2,961	3,593	None.	None.	None.	137	275	468	1
Do.	Southern	704	2,200	2,904	770	2,575	3,345	358	1,590	1,948	193	426	663	1
Total		2,765	8,603	11,368	3,059	10,129	13,188	791	3,185	3,976	664	2,091	2,755	
Idaho		631	1,602	2,233	721	1,634	2,355	302	215	517	197	142	339	1
Illinois	Northern	7,066	6,106	13,172	6,780	5,731	12,511	1,473	400	1,873	1,576	898	2,474	3
Do.	Eastern	1,423	2,092	3,515	1,397	2,117	3,514	268	112	380	282	88	370	2
Do.	Southern	1,351	1,845	3,196	1,191	1,694	2,885	293	115	408	455	392	847	1
Total		9,840	10,043	19,883	9,368	9,542	18,910	2,034	627	2,661	2,313	1,378	3,691	
Indiana	Northern	1,026	997	2,023	847	837	1,684	289	168	457	394	213	607	1
Do.	Southern	807	1,014	1,821	991	1,072	2,063				197	125	322	1
Total		1,833	2,011	3,844	1,838	1,909	3,747	289	168	457	591	338	929	
Iowa	Northern	697	852	1,549	917	973	1,890	182	156	338	87	38	125	1
Do.	Southern	618	921	1,539	717	1,002	1,719	237	125	362	154	65	219	2
Total		1,315	1,773	3,088	1,634	1,975	3,609	419	281	700	241	103	344	
Kansas		1,816	730	2,546	1,684	791	2,475	605	187	792	731	124	855	2
Kentucky	Eastern	1,746	12,080	13,826	1,963	12,556	14,519	497	549	1,046	354	415	769	1
Do.	Western	833	4,014	4,847	860	5,004	5,864	351	702	1,053	311	99	410	1
Total		2,579	16,094	18,673	2,823	17,560	20,383	848	1,251	2,099	665	514	1,179	
Louisiana	Eastern	1,658	4,059	5,717	2,230	5,028	7,258	683	161	844	355	64	419	1
Do.	Western	387	1,185	1,572	413	1,326	1,739	161	57	218	90	33	123	1
Total		2,045	5,244	7,289	2,643	6,354	8,997	844	218	1,062	445	97	542	

State	District	Cases commenced, beginning fiscal year 1928; ending fiscal year 1929			Cases terminated, beginning fiscal year 1928; ending fiscal year 1929			Cases pending, fiscal year 1928			Cases pending, fiscal year 1929			Number of district judges
		Civil and private	Criminal	Total	Civil and private	Criminal	Total	Civil and private	Criminal	Total	Civil and private	Criminal	Total	
Maine		453	882	1,335	589	894	1,483	225	83	309	116	88	204	1
Maryland		2,375	5,582	7,957	3,002	6,078	9,080	607	1,044	1,651	317	246	563	2
Massachusetts		3,699	2,507	6,206	3,790	2,586	6,376	1,463	336	1,799	1,311	290	1,601	3
Michigan	Eastern	4,775	6,778	11,553	4,362	6,876	11,238	556	327	883	1,167	410	1,577	3
Do	Western	659	1,036	1,695	687	1,116	1,803	132	69	201	94	25	119	2
Total		5,434	7,814	13,248	5,049	7,992	13,041	688	396	1,084	1,261	435	1,696	
Minnesota		4,458	4,611	9,069	3,491	4,482	7,973	960	264	1,224	1,885	516	2,401	3
Mississippi	Northern	543	1,609	2,152	530	1,608	2,138	63	152	215	82	177	259	1
Do	Southern	966	1,311	2,277	695	1,399	2,094	419	160	579	181	100	281	1
Total		1,509	2,920	4,429	1,225	3,007	4,232	482	312	794	263	277	540	
Missouri	Eastern	1,725	4,140	5,866	1,671	4,080	5,751	500	278	778	502	278	780	2
Do	Western	2,457	3,354	5,811	2,182	3,467	5,649	691	301	992	891	308	1,199	2
Total		4,182	7,494	11,677	3,853	7,547	11,400	1,191	579	1,770	1,393	586	1,979	
Montana		2,267	3,186	5,453	1,859	2,859	4,718	337	193	530	758	488	1,246	2
Nebraska		1,514	2,247	3,761	1,475	2,245	3,720	532	315	847	590	353	943	2
Nevada		412	1,124	1,536	492	1,238	1,730	257	334	591	114	102	216	1
New Hampshire		502	1,295	1,797	515	1,288	1,803	42	24	66	33	26	59	1
New Jersey		6,273	3,238	9,511	6,253	3,053	11,306	2,444	1,080	3,474	2,133	1,029	3,162	4
New Mexico		418	1,319	1,737	469	1,350	1,819	120	68	188	80	55	135	1
New York	Northern	2,728	8,572	11,300	2,466	8,837	11,303	1,319	1,244	2,563	1,458	914	2,372	2
Do	Eastern	10,558	9,527	20,085	9,067	11,935	21,002	8,949	3,708	12,657	8,803	1,098	9,901	5
Do	Southern	14,893	23,384	38,277	15,899	25,425	41,324	9,093	2,077	11,170	8,406	2,948	11,354	8
Do	Western	2,344	6,413	8,757	2,162	6,038	8,200	827	2,101	2,928	917	1,855	2,772	2
Total		30,523	47,896	78,419	29,594	52,235	81,829	20,188	9,130	29,318	19,584	6,815	26,399	
North Carolina	Eastern	906	2,489	3,395	1,055	2,564	3,619	421	206	627	258	165	423	1
Do	Middle	649	1,849	2,498	510	1,383	1,893		None		139	466	605	1
Do	Western	1,187	3,336	4,523	1,144	3,945	5,089	411	1,063	1,474	372	422	794	2
Total		2,742	7,674	10,416	2,709	7,892	10,601	832	1,269	2,101	769	1,053	1,822	
North Dakota		593	528	1,121	661	526	1,187	163	171	334	115	177	292	1
Ohio	Northern	5,549	4,709	10,258	5,479	4,832	10,311	1,007	568	1,575	1,166	496	1,662	3
Do	Southern	2,158	1,938	4,096	1,850	1,821	3,671	453	91	544	731	225	956	2
Total		7,707	6,647	14,354	7,329	6,653	13,982	1,460	659	2,119	1,897	721	2,618	
Oklahoma	Northern	1,225	3,391	4,616	1,077	3,005	4,082	254	342	596	283	548	831	1
Do	Eastern	1,283	3,893	5,181	1,346	4,064	5,410	286	493	779	337	282	619	1
Do	Western	1,181	2,626	3,807	997	2,540	3,537	285	572	857	415	601	1,016	1
Total		3,694	9,910	13,604	3,420	9,609	13,029	825	1,407	2,232	1,035	1,431	2,466	
Oregon		1,231	1,569	2,800	1,245	1,756	3,001	405	269	674	280	127	407	2
Pennsylvania	Eastern	4,107	2,274	6,381	4,119	2,622	6,741	2,435	615	3,050	2,316	343	2,659	3
Do	Middle	748	1,842	2,590	812	2,987	3,799	315	169	484	250	99	349	2
Do	Western	6,134	5,769	11,903	6,590	5,766	12,356	1,843	400	2,243	1,690	396	2,086	3
Total		10,989	9,885	20,874	11,521	11,375	22,896	4,593	1,184	5,777	4,256	838	5,094	
Rhode Island		166	336	502	205	364	569	216	98	314	111	75	186	1
South Carolina	Eastern	835	1,413	2,248	855	1,356	2,211	196	535	731	189	680	869	2
Do	Western	488	1,376	1,864	493	1,445	1,938	102	140	242	87	112	199	1
Total		1,323	2,789	4,112	1,348	2,801	4,149	298	675	973	276	792	1,068	
South Dakota		535	1,173	1,708	623	1,198	1,821	373	367	740	210	177	387	2
Tennessee	Eastern	899	3,376	4,275	845	3,503	4,348	164	391	555	253	204	457	1
Do	Middle	540	2,672	3,212	574	2,572	3,146	137	382	519	160	619	779	1
Do	Western	489	1,141	1,630	474	1,338	1,812	135	70	205	141	56	197	1
Total		1,928	7,189	9,117	1,893	7,413	9,306	436	843	1,279	554	879	1,433	
Texas	Northern	1,886	4,201	6,087	1,921	4,227	6,148	382	188	570	388	205	593	3
Do	Eastern	818	1,378	2,196	866	1,421	2,287	162	60	222	132	45	177	1
Do	Southern	1,469	3,864	5,333	1,534	3,948	5,482	312	158	470	282	191	473	1
Do	Western	1,098	5,803	6,901	1,143	5,904	7,047	190	241	431	207	162	369	2
Total		5,271	15,246	20,517	5,464	15,500	20,964	1,046	647	1,693	1,009	603	1,612	
Utah		428	562	990	455	596	1,051	101	75	176	72	71	143	1
Vermont		249	825	1,074	248	839	1,087	92	104	196	86	116	202	1
Virginia	Eastern	964	1,325	2,289	1,236	1,382	2,618	248	138	386	174	118	292	1
Do	Western	620	1,254	1,874	618	1,531	2,149	95	127	222	95	127	222	1
Total		1,584	2,579	4,163	1,854	2,913	4,767	343	265	608	269	245	514	
Washington	Eastern	399	738	1,137	371	745	1,116	107	61	168	129	58	187	1
Do	Western	1,991	3,485	5,476	1,889	3,729	5,618	376	514	890	570	246	816	2
Total		2,390	4,223	6,613	2,260	4,474	6,734	483	575	1,058	699	304	1,003	
West Virginia	Northern	744	2,852	3,596	686	3,084	3,770	200	265	465	260	100	360	1
Do	Southern	1,846	9,737	11,583	1,819	9,541	11,360	360	820	1,180	334	782	1,116	1
Total		2,590	12,589	15,179	2,505	12,625	15,130	560	1,085	1,645	594	882	1,476	
Wisconsin	Eastern	1,059	1,265	2,324	1,027	1,117	2,144	181	74	255	196	231	427	1
Do	Western	493	918	1,411	447	872	1,319	133	133	266	175	162	337	1
Total		1,552	2,183	3,735	1,474	1,989	3,463	314	207	521	371	393	764	
Wyoming		88	124	212	83	121	204	124	28	152	76	33	109	1

Total number of cases commenced by States, beginning fiscal year 1926, ending fiscal year 1929

Number of districts	Number of judges	Civil and private cases		Criminal cases		Total all cases	
		State	Cases	State	Cases	State	Cases
4	17	1 New York	30,523	1 District of Columbia	49,187	1 New York	78,419
3	7	2 District of Columbia	16,556	2 New York	47,896	2 District of Columbia	65,743
3	8	3 Pennsylvania	10,989	3 Kentucky	16,094	3 Pennsylvania	20,874
3	6	4 Illinois	9,840	4 Texas	15,246	4 Texas	20,517
2	5	5 Ohio	7,707	5 West Virginia	12,589	5 Illinois	19,883
2	6	6 California	6,576	6 Illinois	10,043	6 Kentucky	18,673
1	4	7 New Jersey	6,273	7 Oklahoma	9,910	7 West Virginia	15,179
2	5	8 Michigan	5,434	8 Pennsylvania	9,885	8 California	14,513
4	7	9 Texas	5,271	9 Georgia	8,603	9 Ohio	14,354
2	4	10 Florida	5,010	10 California	7,937	10 Oklahoma	13,604
1	3	11 Minnesota	4,458	11 Michigan	7,814	11 Michigan	13,248
2	4	12 Missouri	4,183	12 North Carolina	7,674	12 Missouri	11,677
1	3	13 Massachusetts	3,699	13 Missouri	7,494	13 Georgia	11,368
3	3	14 Oklahoma	3,694	14 Tennessee	7,189	14 North Carolina	10,416
3	3	15 Georgia	2,765	15 Ohio	6,647	15 New Jersey	9,511
3	4	16 North Carolina	2,742	16 Maryland	5,582	16 Florida	9,298
2	2	17 West Virginia	2,590	17 Louisiana	5,244	17 Tennessee	9,117
2	2	18 Kentucky	2,579	18 Minnesota	4,611	18 Minnesota	9,069
2	3	19 Washington	2,390	19 Florida	4,288	19 Maryland	7,957
1	2	20 Maryland	2,375	20 Washington	4,223	20 Louisiana	7,289
2	2	21 Montana	2,267	21 Arkansas	4,167	21 Washington	6,613
2	2	22 Louisiana	2,045	22 Alabama	3,561	22 Massachusetts	6,206
3	3	23 Tennessee	1,923	23 Arizona	3,313	23 Arkansas	5,880
2	2	24 Indiana	1,833	24 New Jersey	3,235	24 Montana	5,453
1	2	25 Kansas	1,816	25 Montana	3,186	25 Alabama	4,896
2	2	26 Arkansas	1,713	26 Mississippi	2,920	26 Mississippi	4,429
2	2	27 Virginia	1,684	27 South Carolina	2,789	27 Virginia	4,163
1	2	28 Wisconsin	1,532	28 Virginia	2,579	28 South Carolina	4,112
2	2	29 Nebraska	1,514	29 Massachusetts	2,507	29 Arizona	3,975
2	2	30 Mississippi	1,509	30 Nebraska	2,247	30 Indiana	3,844
3	3	31 Alabama	1,335	31 Wisconsin	2,183	31 Nebraska	3,761
2	3	32 South Carolina	1,323	32 Indiana	2,011	32 Wisconsin	3,735
2	3	33 Iowa	1,315	33 Iowa	1,773	33 Iowa	3,088
1	2	34 Oregon	1,231	34 Idaho	1,602	34 Oregon	2,804
1	1	35 Colorado	1,136	35 Oregon	1,569	35 Kansas	2,546
1	1	36 Arizona	662	36 Colorado	1,341	36 Colorado	2,477
1	1	37 Idaho	631	37 New Mexico	1,319	37 Idaho	2,233
1	1	38 North Dakota	593	38 New Hampshire	1,295	38 New Hampshire	1,797
1	1	39 Connecticut	569	39 South Dakota	1,173	39 New Mexico	1,737
1	1	40 South Dakota	535	40 Nevada	1,124	40 South Dakota	1,708
1	1	41 New Hampshire	502	41 Nevada	882	41 Nevada	1,536
1	1	42 Maine	453	42 Vermont	825	42 Maine	1,335
1	1	43 Utah	428	43 Kansas	730	43 North Dakota	1,121
1	1	44 Delaware	424	44 Utah	562	44 Connecticut	1,101
1	1	45 New Mexico	418	45 Connecticut	532	45 Vermont	1,074
1	1	46 Nevada	412	46 North Dakota	528	46 Utah	990
1	1	47 Vermont	249	47 Delaware	358	47 Delaware	782
1	1	48 Rhode Island	166	48 Rhode Island	336	48 Rhode Island	502
1	1	49 Wyoming	88	49 Wyoming	124	49 Wyoming	212
		Total	165,885	Total	298,930	Total	464,815

Total number of all cases terminated by States, beginning fiscal year 1926, ending fiscal year 1929

	State	Cases
1	New York	81,829
2	District of Columbia	63,268
3	Pennsylvania	22,896
4	Texas	20,964
5	Kentucky	20,383
6	Illinois	18,910
7	California	16,642
8	West Virginia	15,130
9	Ohio	13,982
10	Georgia	13,188
11	Michigan	13,041
12	Oklahoma	13,023
13	Missouri	11,400
14	New Jersey	11,306
15	North Carolina	10,601
16	Tennessee	9,306
17	Maryland	9,080
18	Louisiana	8,997
19	Florida	8,457
20	Minnesota	7,973
21	Washington	6,734
22	Massachusetts	6,376
23	Arkansas	6,087
24	Alabama	6,390
25	Virginia	4,767
26	Montana	4,718
27	Mississippi	4,232
28	South Carolina	4,149
29	Arizona	3,796
30	Maryland	3,747
31	Nebraska	3,720
32	Iowa	3,609
33	Wisconsin	3,463
34	Oregon	3,001
35	Kansas	2,475
36	Colorado	2,431
37	Idaho	2,355
38	South Dakota	1,821
39	New Mexico	1,819
40	New Hampshire	1,803
41	Nevada	1,730
42	Maine	1,483
43	Connecticut	1,371
44	North Dakota	1,187

Total number of all cases terminated by States, beginning fiscal year 1926, ending fiscal year 1929—Continued

	State	Cases
45	Vermont	1,087
46	Utah	1,051
47	Delaware	806
48	Rhode Island	569
49	Wyoming	204
Total		476,333

Total number of all cases pending, by States

	State	Fiscal year 1926	Fiscal year 1929
1	Alabama	981	611
2	Arizona	491	643
3	Arkansas	1,018	805
4	California	3,460	2,969
5	Colorado	460	554
6	Connecticut	414	153
7	Delaware	179	190
8	District of Columbia	7,148	7,415
9	Florida	2,267	2,826
10	Georgia	3,976	2,755
11	Idaho	517	339
12	Illinois	2,661	3,691
13	Indiana	457	929
14	Iowa	700	344
15	Kansas	792	855
16	Kentucky	2,099	1,179
17	Louisiana	1,062	542
18	Maine	309	204
19	Maryland	1,651	563
20	Massachusetts	1,799	1,601
21	Michigan	1,084	1,696
22	Minnesota	1,224	2,401
23	Mississippi	794	540
24	Missouri	1,770	1,979
25	Montana	530	1,246
26	Nebraska	847	943
27	Nevada	501	216
28	New Hampshire	66	59

Total number of all cases pending, by States—Continued

	State	Fiscal year 1926	Fiscal year 1929
29	New Jersey	3,474	3,162
30	New Mexico	188	135
31	New York	29,318	26,399
32	North Carolina	2,101	1,822
33	North Dakota	334	292
34	Ohio	2,119	2,618
35	Oklahoma	2,232	2,466
36	Oregon	674	407
37	Pennsylvania	5,777	5,094
38	Rhode Island	314	186
39	South Carolina	973	1,068
40	South Dakota	740	387

Total number of all cases pending, by States—Continued

	State	Fiscal year 1926	Fiscal year 1929
41	Tennessee	1,279	1,433
42	Texas	1,693	1,612
43	Utah	176	143
44	Vermont	196	202
45	Virginia	608	514
46	Washington	1,058	1,003
47	West Virginia	1,645	1,476
48	Wisconsin	521	764
49	Wyoming	152	109
Total		94,919	89,540

Number of all civil and private cases commenced, by districts, for the period beginning with the fiscal year 1926 and ending with the fiscal year 1929

State	District	Cases
1. District of Columbia		16,556
2. New York	S	14,893
3. Do.	E	10,558
4. Illinois	N	7,066
5. New Jersey		6,273
6. Pennsylvania	W	6,134
7. Ohio	N	5,549
8. Florida	S	4,816
9. Michigan	E	4,775
10. Minnesota		4,458
11. Pennsylvania	E	4,107
12. California	N	3,873
13. Massachusetts		3,699
14. New York	N	2,728
15. California	S	2,703
16. Missouri	W	2,457
17. Maryland		2,375
18. New York	W	2,344
19. Montana		2,267
20. Ohio	S	2,158
21. Washington	W	1,991
22. Texas	N	1,886
23. West Virginia	S	1,846
24. Kansas		1,816
25. Kentucky	E	1,746
26. Missouri	E	1,726
27. Louisiana	E	1,658
28. Nebraska		1,514
29. Georgia	N	1,497
30. Texas	S	1,469
31. Illinois	E	1,423
32. Illinois	S	1,351
33. Oklahoma	E	1,288
34. Oregon		1,231
35. Oklahoma	N	1,225
36. North Carolina	W	1,187
37. Oklahoma	W	1,181
38. Colorado		1,136
39. Texas	W	1,098
40. Wisconsin	E	1,059
41. Indiana	N	1,026
42. Mississippi	S	966
43. Virginia	E	964
44. Arkansas	E	951
45. North Carolina	E	906
46. Tennessee	E	899
47. South Carolina	E	835
48. Kentucky	W	833
49. Texas	E	818
50. Alabama	N	817
51. Indiana	S	807
52. Arkansas	W	762
53. Pennsylvania	M	748
54. West Virginia	N	744
55. Georgia	S	704
56. Iowa	N	697
57. Arizona		662
58. Michigan	W	659
59. North Carolina	M	649
60. Idaho		631
61. Virginia	W	620
62. Iowa	S	618
63. North Dakota		593
64. Connecticut		569
65. Georgia	M	564
66. Mississippi	N	543
67. Tennessee	M	540
68. South Dakota		535
69. New Hampshire		502
70. Wisconsin	W	493
71. Tennessee	W	489
72. South Carolina	W	488
73. Maine		463
74. Utah		428
75. Delaware		424
76. New Mexico		418
77. Nevada		412
78. Washington	E	399
79. Louisiana	W	387
80. Alabama	S	266
81. Alabama	M	252
82. Vermont		249
83. Florida	N	194
84. Rhode Island		166
85. Wyoming		88
Total		165,885

Number of all criminal cases commenced, by districts, for the period beginning with the fiscal year 1926 and ending with the fiscal year 1929

State	District	Cases
1. District of Columbia		49,187
2. New York	S	23,384
3. Kentucky	E	12,080
4. West Virginia	S	9,737
5. New York	E	9,527
6. Do.	N	8,572
7. Michigan	E	6,778
8. New York	W	6,413
9. Illinois	N	6,106
10. Texas	W	5,803
11. Pennsylvania	W	5,769
12. Maryland		5,582
13. California	N	5,084
14. Ohio	N	4,709
15. Minnesota		4,611
16. Texas	N	4,201
17. Missouri	E	4,140
18. Georgia	N	4,130
19. Louisiana	W	4,059
20. Kentucky	E	4,014
21. Oklahoma	E	3,893
22. Texas	S	3,864
23. Florida	W	3,511
24. Washington	N	3,485
25. Oklahoma	E	3,391
26. Tennessee	E	3,376
27. Missouri	W	3,354
28. North Carolina	W	3,336
29. Arizona		3,313
30. New Jersey		3,238
31. Montana	E	3,186
32. Arkansas	S	2,952
33. California	N	2,853
34. West Virginia	M	2,852
35. Tennessee	W	2,672
36. Oklahoma	W	2,626
37. Massachusetts	E	2,607
38. North Carolina	E	2,489
39. Pennsylvania	E	2,274
40. Georgia	M	2,273
41. Nebraska	S	2,247
42. Georgia	S	2,200
43. Illinois	E	2,092
44. Ohio	S	1,938
45. Alabama	N	1,916
46. North Carolina	M	1,849
47. Illinois	S	1,845
48. Pennsylvania	M	1,842
49. Mississippi	N	1,609
50. Idaho		1,602
51. Oregon		1,569
52. South Carolina	E	1,413
53. Texas	E	1,378
54. South Carolina	W	1,376
55. Colorado		1,341
56. Virginia	E	1,325
57. New Mexico		1,319
58. Mississippi	S	1,311
59. New Hampshire		1,295
60. Wisconsin	W	1,265
61. Virginia	W	1,254
62. Arkansas	W	1,215
63. Louisiana	W	1,185
64. South Dakota		1,173
65. Tennessee	W	1,141
66. Alabama	S	1,128
67. Nevada		1,124
68. Michigan	W	1,036
69. Indiana	S	1,014
70. Do.	N	997
71. Iowa	S	921
72. Wisconsin	W	918
73. Maine		882
74. Iowa	N	852
75. Vermont		825
76. Florida	N	777
77. Washington	E	738
78. Kansas		730
79. Utah		562
80. Connecticut		532
81. North Dakota		528
82. Alabama	M	517
83. Delaware		358
84. Rhode Island		336
85. Wyoming		124
Total		298,930

Total number of all cases commenced, by districts, for the period beginning with the fiscal year 1926 and ending with the fiscal year 1929

State	District	Cases
1. District of Columbia		65,743
2. New York	S	38,277
3. Do.	E	20,085
4. Kentucky	E	13,826
5. Illinois	N	13,172
6. Pennsylvania	W	11,903
7. West Virginia	S	11,583
8. Michigan	E	11,553
9. New York	N	11,300
10. Ohio	N	10,258
11. New Jersey		9,511
12. Minnesota		9,069
13. California	N	8,957
14. New York	W	8,757
15. Florida	S	8,327
16. Maryland		7,957
17. Texas	W	6,901
18. Pennsylvania	E	6,381
19. Massachusetts		6,206
20. Texas	N	6,087
21. Missouri	E	5,866
22. Missouri	W	5,811
23. Louisiana	E	5,717
24. Georgia	N	5,627
25. California	S	5,556
26. Washington	W	5,476
27. Montana		5,453
28. Texas	S	5,333
29. Oklahoma	E	5,181
30. Kentucky	W	4,847
31. Oklahoma		4,616
32. North Carolina	W	4,523
33. Tennessee	E	4,275
34. Ohio	S	4,096
35. Arizona		3,975
36. Arkansas	E	3,903
37. Oklahoma	W	3,807
38. Nebraska		3,761
39. West Virginia	N	3,596
40. Illinois	E	3,515
41. North Carolina	E	3,396
42. Tennessee	M	3,212
43. Illinois	S	3,196
44. Georgia	S	2,904
45. Do.	M	2,837
46. Oregon		2,800
47. Alabama	N	2,733
48. Pennsylvania	M	2,590
49. Kansas		2,546
50. North Carolina	M	2,498
51. Colorado		2,477
52. Wisconsin	E	2,324
53. Virginia	E	2,280
54. Mississippi	S	2,277
55. South Carolina	E	2,248
56. Idaho		2,233
57. Texas	E	2,196
58. Mississippi	N	2,152
59. Indiana	N	2,023
60. Arkansas	W	1,977
61. Virginia	W	1,874
62. South Carolina	W	1,864
63. Indiana	S	1,821
64. New Hampshire		1,797
65. New Mexico		1,737
66. South Dakota		1,708
67. Michigan	W	1,695
68. Tennessee	W	1,630
69. Louisiana	W	1,572
70. Iowa	N	1,549
71. Iowa	S	1,539
72. Nevada		1,536
73. Wisconsin	W	1,411
74. Alabama	S	1,394
75. Maine		1,335
76. Washington	E	1,137
77. North Dakota		1,121
78. Connecticut		1,101
79. Vermont		1,074
80. Utah		990
81. Florida	N	971
82. Delaware		782
83. Alabama	M	769
84. Rhode Island		502
85. Wyoming		212
Total		464,815

Total number of all cases terminated, by districts, beginning fiscal year 1926, ending fiscal year 1929

State	District	Cases
1. District of Columbia		63,268
2. New York	S.	41,324
3. Do.	E.	21,002
4. Kentucky	E.	14,519
5. Illinois	N.	12,511
6. Pennsylvania	W.	12,356
7. West Virginia	S.	11,360
8. New Jersey		11,306
9. New York	N.	11,303
10. Michigan	E.	11,238
11. California	N.	11,006
12. Ohio	N.	10,311
13. Maryland		9,080
14. New York	W.	8,200
15. Minnesota		7,973
16. Florida	S.	7,455
17. Louisiana	E.	7,258
18. Texas	W.	7,047
19. Pennsylvania	E.	6,741
20. Massachusetts		6,376
21. Georgia	N.	6,250
22. Texas	N.	6,148
23. Kentucky	W.	5,864
24. Missouri	E.	5,751
25. Do.	W.	5,649
26. California	S.	5,636
27. Washington	W.	5,618
28. Texas	S.	5,482
29. Oklahoma	E.	5,410
30. North Carolina	W.	5,089
31. Montana		4,718
32. Tennessee	E.	4,348
33. Oklahoma	N.	4,082
34. Pennsylvania	M.	3,799
35. Arkansas	E.	3,794
36. West Virginia	N.	3,770
37. Arizona		3,766
38. Nebraska		3,720
39. Ohio	S.	3,671
40. North Carolina	E.	3,619
41. Georgia	M.	3,593
42. Oklahoma	W.	3,537
43. Illinois	E.	3,514
44. Georgia	S.	3,345

Total number of all cases terminated, by districts, beginning fiscal year 1926, ending fiscal year 1929—Continued

State	District	Cases
45. Tennessee	M.	3,146
46. Alabama	N.	3,039
47. Oregon		3,001
48. Illinois	S.	2,885
49. Virginia	E.	2,618
50. Kansas		2,475
51. Colorado		2,431
52. Idaho		2,355
53. Arkansas	W.	2,293
54. Texas	E.	2,287
55. South Carolina	E.	2,211
56. Virginia	W.	2,149
57. Wisconsin	E.	2,144
58. Mississippi	N.	2,138
59. Do.	S.	2,094
60. Indiana	S.	2,063
61. South Carolina	W.	1,938
62. North Carolina	M.	1,893
63. Iowa	N.	1,890
64. South Dakota		1,821
65. New Mexico		1,819
66. Tennessee	W.	1,812
67. Michigan	W.	1,803
68. New Hampshire		1,803
69. Louisiana	W.	1,739
70. Nevada		1,730
71. Iowa	S.	1,719
72. Indiana	N.	1,684
73. Alabama	S.	1,496
74. Maine		1,483
75. Connecticut		1,371
76. Wisconsin	W.	1,319
77. North Dakota		1,187
78. Washington	E.	1,116
79. Vermont		1,087
80. Utah		1,051
81. Florida	N.	1,002
82. Alabama	M.	855
83. Delaware		806
84. Rhode Island		569
85. Wyoming		204
Total		476,333

Total number of all civil and private cases pending, by districts, at the end of the fiscal year 1929

State	District	Cases
1. New York	Eastern	8,803
2. Do.	Southern	8,406
3. District of Columbia		4,339
4. Pennsylvania	Eastern	2,316
5. New Jersey		2,133
6. Minnesota		1,885
7. Pennsylvania	Western	1,690
8. Illinois	Northern	1,576
9. Florida	Southern	1,562
10. New York	Northern	1,458
11. Massachusetts		1,311
12. Michigan	Eastern	1,167
13. Ohio	Northern	1,166
14. California	Southern	1,162
15. Do.	Northern	956
16. New York	Western	917
17. Missouri	do	891
18. Montana		758
19. Kansas		731
20. Ohio	Southern	731
21. Nebraska		590
22. Washington	Western	570
23. Missouri	Eastern	502
24. Illinois	Southern	455
25. Oklahoma	Western	415
26. Indiana	Northern	394
27. Texas	Northern	388
28. North Carolina	Western	372
29. Louisiana	Eastern	355
30. Kentucky	Eastern	354
31. Oklahoma	Eastern	337
32. Georgia	Northern	334
33. West Virginia	Southern	334
34. Colorado		332
35. Arkansas	Eastern	326
36. Maryland		317
37. Kentucky	Western	311
38. Oklahoma	Northern	283
39. Illinois	Eastern	282
40. Texas	Southern	282
41. Oregon		280
42. Arizona		266
43. West Virginia	Northern	260
44. North Carolina	Eastern	258
45. Tennessee	do	253
46. Pennsylvania	Middle	250
47. South Dakota		210
48. Texas	Western	207
49. Idaho		197
50. Indiana	Southern	197
51. Wisconsin	Eastern	196
52. Georgia	Middle	193

Total number of all criminal cases pending, by districts, at the end of the fiscal year 1929

State	District	Cases
1. District of Columbia		3,076
2. New York	Southern	2,948
3. Do.	Western	1,855
4. Georgia	Northern	1,390
5. New York	Eastern	1,098
6. Florida	Southern	1,042
7. New Jersey		1,029
8. New York	Northern	914
9. Illinois	do	898
10. West Virginia	Southern	782
11. North Carolina	Eastern	680
12. Tennessee	Middle	619
13. Oklahoma	Western	601
14. Do.	Northern	548
15. Minnesota		516
16. Ohio	Northern	496
17. Montana		488
18. California	Southern	477
19. North Carolina	Middle	466
20. Georgia	Southern	426
21. North Carolina	Western	422
22. Kentucky	Eastern	415
23. Michigan	do	410
24. Pennsylvania	Western	396
25. Illinois	Southern	392
26. Arizona		377
27. California	Northern	374
28. Nebraska		353
29. Pennsylvania	Eastern	343
30. Missouri	Western	308
31. Massachusetts		290
32. Oklahoma	Eastern	282
33. Missouri	Eastern	278
34. Georgia	Middle	275
35. Maryland		246
36. Washington	Western	246
37. Wisconsin	Eastern	231
38. Ohio	Southern	225
39. Colorado		222
40. Indiana	Northern	213
41. Texas	Northern	205
42. Tennessee	Eastern	204
43. Texas	Southern	191
44. Mississippi	Northern	177
45. North Dakota		177
46. South Dakota		177
47. Alabama	Northern	176
48. Arkansas	Eastern	173
49. Do.	Western	166
50. North Carolina	Eastern	165
51. Texas	Western	162
52. Wisconsin	do	162

Total number of all cases pending, by districts, at the end of the fiscal year 1929

State	District	Cases
1. New York	Southern	11,354
2. Do.	Eastern	9,901
3. District of Columbia		7,415
4. New Jersey		3,162
5. New York	Western	2,772
6. Pennsylvania	Eastern	2,659
7. Florida	Southern	2,604
8. Illinois	Northern	2,474
9. Minnesota		2,401
10. New York	Northern	2,372
11. Pennsylvania	Western	2,086
12. Georgia	Northern	1,724
13. Ohio	do	1,662
14. California	Southern	1,639
15. Massachusetts		1,601
16. Michigan	Eastern	1,577
17. California	Northern	1,330
18. Montana		1,246
19. Missouri	Western	1,199
20. West Virginia	Southern	1,116
21. Oklahoma	Western	1,016
22. Ohio	Southern	956
23. Nebraska		943
24. South Carolina	Eastern	869
25. Kansas		855
26. Illinois	Southern	847
27. Oklahoma	Northern	831
28. Washington	Western	816
29. North Carolina	Western	794
30. Missouri	Eastern	780
31. Tennessee	Middle	779
32. Kentucky	Eastern	769
33. Arizona		643
34. Oklahoma	Eastern	619
35. Indiana	Northern	607
36. North Carolina	Middle	605
37. Texas	Northern	593
38. Georgia	Southern	563
39. Maryland		563
40. Colorado		554
41. Arkansas	Eastern	499
42. Texas	Southern	473
43. Georgia	Middle	468
44. Tennessee	Eastern	457
45. Wisconsin	do	427
46. North Carolina	do	423
47. Louisiana	do	419
48. Kentucky	Western	410
49. Oregon		407
50. South Dakota		387
51. Illinois	Eastern	370
52. Texas	Western	369

Total number of all civil and private cases pending, by districts, at the end of the fiscal year 1929—Continued

Total number of all criminal cases pending, by districts, at the end of the fiscal year 1929—Continued

Total number of all cases pending, by districts, at the end of the fiscal year 1929—Continued

State	District	Cases	State	District	Cases	State	District	Cases
53. South Carolina	Eastern	189	53. Idaho		142	53. West Virginia	Northern	360
54. Delaware		183	54. Oregon		127	54. Pennsylvania	Middle	349
55. Mississippi	Southern	181	55. Virginia	Western	127	55. Idaho		339
56. Wisconsin	Western	175	56. Indiana	Southern	125	56. Wisconsin	Western	337
57. Virginia	Eastern	174	57. Kansas		124	57. Indiana	Southern	322
58. Tennessee	Middle	160	58. Virginia	Eastern	118	58. Arkansas	Western	306
59. Iowa	Southern	154	59. Alabama	Southern	116	59. Alabama	Northern	301
60. Tennessee	Western	141	60. Vermont		116	60. North Dakota		292
61. Arkansas	do	140	61. Florida	Northern	115	61. Virginia	Eastern	292
62. North Carolina	Middle	139	62. South Carolina	Western	112	62. Mississippi	Southern	281
63. Connecticut		137	63. Nevada		102	63. Do	Northern	259
64. Georgia	Southern	137	64. Mississippi	Southern	100	64. Florida	do	222
65. Texas	Eastern	132	65. West Virginia	Northern	100	65. Virginia	Western	222
66. Washington	do	129	66. Kentucky	Western	99	66. Iowa	Southern	219
67. Alabama	Northern	125	67. Pennsylvania	Middle	99	67. Nevada		216
68. Maine		116	68. Illinois	Eastern	88	68. Maine		204
69. North Dakota		115	69. Maine		88	69. Vermont		202
70. Nevada		114	70. Rhode Island		75	70. South Carolina	Western	199
71. Rhode Island		111	71. Utah		71	71. Tennessee	do	197
72. Florida	Northern	107	72. Iowa	Southern	65	72. Alabama	Southern	191
73. Virginia	Western	95	73. Louisiana	Eastern	64	73. Delaware		190
74. Michigan	do	94	74. Washington	do	58	74. Washington	Eastern	187
75. Louisiana	do	90	75. Tennessee	Western	56	75. Rhode Island		186
76. Alabama	Middle	88	76. New Mexico		55	76. Texas	Eastern	177
77. Iowa	Northern	87	77. Texas	Eastern	45	77. Connecticut		153
78. South Carolina	Western	86	78. Louisiana	Northern	38	78. Utah		143
79. Vermont		82	79. Wyoming	Western	33	79. New Mexico		135
80. Mississippi	Northern	80	80. Iowa	Middle	33	80. Iowa	Northern	125
81. New Mexico		76	81. Louisiana		31	81. Louisiana	Western	123
82. Wyoming		76	82. New Hampshire		26	82. Alabama	Middle	119
83. Alabama	Southern	75	83. Michigan	Western	25	83. Michigan	Western	119
84. Utah		72	84. Connecticut		16	84. Wyoming		109
85. New Hampshire		33	85. Delaware		7	85. New Hampshire		59
Total		58,162	Total		31,378	Total		89,540

Business transacted in Federal courts of each State for the period beginning fiscal year 1926 and ending fiscal year 1929

ALABAMA

Population, 1920: 1,225,082
 Northern district..... 693,359
 Middle district..... 429,733
 Southern district.....
 Total..... 2,348,174

District	Cases	1926	1927	1928	1929	Total
CASES COMMENCED						
N.....	Civil.....	72	50	55	49	226
	Private.....	124	166	160	141	591
	Criminal.....	638	385	451	442	1,916
	Total for district.....	834	601	666	632	2,733
M.....	Civil.....	21	22	31	20	94
	Private.....	34	34	21	69	158
	Criminal.....	236	66	128	87	517
	Total for district.....	291	122	180	176	769
S.....	Civil.....	21	34	27	36	118
	Private.....	40	35	37	36	148
	Criminal.....	183	257	371	317	1,128
	Total for district.....	244	326	435	389	1,394
	Total for State.....	1,369	1,049	1,281	1,197	4,896
CASES TERMINATED						
N.....	Civil.....	74	80	64	49	267
	Private.....	185	156	161	163	665
	Criminal.....	810	402	465	430	2,107
	Total for district.....	1,069	638	690	642	3,039
M.....	Civil.....	42	24	32	16	114
	Private.....	45	29	29	47	150
	Criminal.....	232	90	102	167	591
	Total for district.....	319	143	163	230	855
S.....	Civil.....	30	26	23	37	116
	Private.....	26	47	46	38	157
	Criminal.....	239	295	342	347	1,223
	Total for district.....	295	368	411	422	1,496
	Total for State.....	1,683	1,149	1,264	1,294	5,390

Business transacted in Federal courts of each State for the period beginning fiscal year 1926 and ending fiscal year 1929—Continued

District	Cases	1926	1927	1928	1929	Total
CASES PENDING						
N.....	Civil.....	68	38	29	29	
	Private.....	109	119	118	96	
	Criminal.....	346	322	164	176	
	Total for district.....	523	479	311	301	
M.....	Civil.....	18	16	15	20	
	Private.....	49	54	46	68	
	Criminal.....	149	125	151	31	
	Total for district.....	216	195	212	119	
S.....	Civil.....	25	33	37	36	
	Private.....	62	50	41	39	
	Criminal.....	155	117	146	116	
	Total for district.....	242	200	224	191	
	Total for State.....	981	874	747	611	

ARIZONA

Population, 1920..... 334,162

District	Cases	1926	1927	1928	1929	Total
CASES COMMENCED						
	Civil.....	83	55	24	146	308
	Private.....	110	82	84	78	354
	Criminal.....	940	759	684	930	3,313
	Total for State.....	1,133	896	792	1,154	3,975
CASES TERMINATED						
	Civil.....	57	80	25	94	256
	Private.....	93	89	82	67	331
	Criminal.....	927	657	789	806	3,179
	Total for State.....	1,077	826	896	967	3,766
CASES PENDING						
	Civil.....	119	94	93	145	
	Private.....	115	108	110	121	
	Criminal.....	257	358	253	377	
	Total for State.....	491	560	456	643	

Business transacted in Federal courts of each State for the period beginning fiscal year 1926 and ending fiscal year 1929—Continued

ARKANSAS

Population, 1920: Eastern district..... 1,158,661
Western district..... 593,543
Total..... 1,752,204

District	Cases	1926	1927	1928	1929	Total
CASES COMMENCED						
E	Civil.....	28	27	11	125	191
	Private.....	184	203	219	154	760
	Criminal.....	749	871	570	762	2,952
	Total for district.....	961	1,101	800	1,041	3,903
W	Civil.....	42	22	42	55	161
	Private.....	127	159	144	171	601
	Criminal.....	320	197	340	358	1,215
	Total for district.....	489	378	526	584	1,977
CASES TERMINATED						
E	Civil.....	15	35	13	23	86
	Private.....	151	189	182	185	707
	Criminal.....	713	827	665	796	3,001
	Total for district.....	879	1,051	860	1,004	3,794
W	Civil.....	46	35	48	23	152
	Private.....	142	159	179	175	655
	Criminal.....	365	248	521	352	1,486
	Total for district.....	553	442	748	550	2,293
CASES PENDING						
E	Civil.....	24	20	18	120	282
	Private.....	186	200	237	206	829
	Criminal.....	249	303	207	173	932
	Total for district.....	459	523	462	499	1,943
W	Civil.....	36	23	17	49	125
	Private.....	130	130	95	91	446
	Criminal.....	393	342	160	166	1,061
	Total for district.....	559	495	272	306	1,632
Total for State.....						
		1,018	1,018	734	805	3,575

CALIFORNIA

Population, 1920: Northern district..... 1,746,646
Southern district..... 1,680,215
Total..... 3,426,861

District	Cases	1926	1927	1928	1929	Total
CASES COMMENCED						
N	Civil.....	550	401	847	548	2,346
	Private.....	339	312	410	466	1,527
	Criminal.....	1,165	1,123	1,200	1,596	5,084
	Total for district.....	2,054	1,836	2,457	2,610	8,957
S	Civil.....	243	235	340	325	1,143
	Private.....	317	414	420	409	1,560
	Criminal.....	759	744	719	631	2,853
	Total for district.....	1,319	1,393	1,479	1,365	5,556
CASES TERMINATED						
N	Civil.....	508	544	645	654	2,351
	Private.....	1,206	388	393	467	2,454
	Criminal.....	1,988	1,233	1,137	1,843	6,201
	Total for district.....	3,702	2,165	2,175	2,964	11,006
S	Civil.....	197	232	279	224	932
	Private.....	307	316	383	401	1,407
	Criminal.....	802	1,183	684	628	3,297
	Total for district.....	1,306	1,731	1,346	1,253	5,636
CASES PENDING						
N	Civil.....	516	373	575	469	1,933
	Private.....	547	471	488	487	1,993
	Criminal.....	665	555	621	374	2,215
	Total for district.....	1,728	1,399	1,684	1,330	6,141
Total for State.....						
		3,746	3,235	4,141	4,165	15,327

Business transacted in Federal courts of each State for the period beginning fiscal year 1926 and ending fiscal year 1929—Continued

District	Cases	1926	1927	1928	1929	Total
CASES PENDING—continued						
S	Civil.....	204	207	268	369	1,058
	Private.....	650	748	785	793	2,976
	Criminal.....	878	439	474	477	1,868
	Total for district.....	1,732	1,394	1,527	1,639	6,292
Total for State.....						
		3,460	2,793	3,211	2,969	12,433

COLORADO

Population, 1920..... 339,629

District	Cases	1926	1927	1928	1929	Total
CASES COMMENCED						
	Civil.....	104	114	107	146	471
	Private.....	175	240	136	114	665
	Criminal.....	357	250	420	314	1,341
	Total for State.....	636	604	663	574	2,477
CASES TERMINATED						
	Civil.....	107	86	130	95	418
	Private.....	126	198	202	125	651
	Criminal.....	442	240	364	316	1,362
	Total for State.....	675	524	696	536	2,431
CASES PENDING						
	Civil.....	85	113	90	141	429
	Private.....	217	259	202	191	869
	Criminal.....	158	168	224	222	772
	Total for State.....	460	540	516	554	2,070

CONNECTICUT

Population, 1920..... 1,380,621

District	Cases	1926	1927	1928	1929	Total
CASES COMMENCED						
	Civil.....	86	73	59	58	276
	Private.....	55	73	89	76	293
	Criminal.....	109	98	151	174	532
	Total for State.....	250	244	299	308	1,101
CASES TERMINATED						
	Civil.....	89	120	68	68	345
	Private.....	61	85	99	219	464
	Criminal.....	109	97	163	193	562
	Total for State.....	259	302	330	480	1,371
CASES PENDING						
	Civil.....	95	48	39	29	211
	Private.....	273	261	251	108	893
	Criminal.....	46	47	35	16	144
	Total for State.....	414	356	325	153	1,248

DELAWARE

Population, 1920..... 223,003

District	Cases	1926	1927	1928	1929	Total
CASES COMMENCED						
	Civil.....	32	25	21	19	97
	Private.....	42	83	123	79	327
	Criminal.....	75	79	127	77	358
	Total for State.....	149	187	271	175	782
CASES TERMINATED						
	Civil.....	44	18	24	32	118
	Private.....	45	63	126	53	287
	Criminal.....	95	55	166	85	401
	Total for State.....	184	136	316	170	806
CASES PENDING						
	Civil.....	27	34	31	18	110
	Private.....	122	142	139	165	578
	Criminal.....	30	54	15	7	106
	Total for State.....	179	230	185	190	784

Business transacted in Federal courts of each State for the period beginning fiscal year 1926 and ending fiscal year 1929—Continued

DISTRICT OF COLUMBIA

Population, 1920..... 437,571

District	Cases	1926	1927	1928	1929	Total
CASES COMMENCED						
Civil.....		366	172	254	235	1,027
Private.....		3,461	3,750	4,358	3,960	15,529
Criminal.....		10,588	11,983	13,378	13,238	49,187
Total.....		14,415	15,905	17,990	17,433	65,743
CASES TERMINATED						
Civil.....		325	325	151	169	970
Private.....		3,120	3,848	3,664	3,540	14,172
Criminal.....		10,036	12,412	13,465	12,213	48,126
Total.....		13,481	16,585	17,280	15,922	63,268
CASES PENDING						
Civil.....		431	382	485	551	-----
Private.....		2,772	2,674	3,368	3,788	-----
Criminal.....		3,945	2,148	2,071	3,076	-----
Total.....		7,148	5,204	5,924	7,415	-----

FLORIDA

Population, 1920:
 Northern district..... 291,243
 Southern district..... 677,227
 Total..... 968,470

District	Cases	1926	1927	1928	1929	Total
CASES COMMENCED						
N.....	Civil.....	3	2	6	15	26
	Private.....	55	32	42	89	168
	Criminal.....	127	210	227	213	777
	Total for district.....	185	244	275	267	971
S.....	Civil.....	148	289	513	794	1,744
	Private.....	507	718	856	991	3,072
	Criminal.....	838	559	1,007	1,107	3,511
	Total for district.....	1,493	1,566	2,376	2,892	8,327
	Total for State.....	1,678	1,810	2,651	3,159	9,298
CASES TERMINATED						
N.....	Civil.....	1	9	2	16	28
	Private.....	36	56	21	31	144
	Criminal.....	146	232	242	210	830
	Total for district.....	183	297	265	257	1,002
S.....	Civil.....	235	179	356	730	1,500
	Private.....	325	576	668	972	2,541
	Criminal.....	606	829	660	1,319	3,414
	Total for district.....	1,166	1,584	1,684	3,021	7,455
	Total for State.....	1,349	1,881	1,949	3,278	8,457
CASES PENDING						
N.....	Civil.....	19	12	16	11	-----
	Private.....	95	67	88	96	-----
	Criminal.....	149	127	112	115	-----
	Total for district.....	263	206	216	222	-----
S.....	Civil.....	176	286	443	507	-----
	Private.....	651	793	1,034	1,055	-----
	Criminal.....	1,177	907	1,254	1,042	-----
	Total for district.....	2,004	1,986	2,731	2,604	-----
	Total for State.....	2,267	2,192	2,947	2,826	-----

GEORGIA

Population, 1920:
 Northern district..... 1,380,350
 Southern district..... 1,515,482
 Total..... 2,895,832

District	Cases	1926	1927	1928	1929	Total
CASES COMMENCED						
N.....	Civil.....	258	83	345	252	938
	Private.....	164	151	121	123	559
	Criminal.....	743	756	1,075	1,556	4,130
	Total for district.....	1,165	990	1,541	1,931	5,627

Business transacted in Federal courts of each State for the period beginning fiscal year 1926 and ending fiscal year 1929—Continued

District	Cases	1926	1927	1928	1929	Total
CASES COMMENCED—contd.						
M.....	Civil (middle district not created until 1927).....	-----	73	60	104	237
	Private.....	-----	109	111	107	327
	Criminal.....	-----	412	880	981	2,273
	Total for district.....	-----	594	1,051	1,192	2,837
S.....	Civil.....	93	64	96	135	388
	Private.....	118	61	52	85	316
	Criminal.....	865	331	479	525	2,200
	Total for district.....	1,076	456	627	745	2,904
	Total for State.....	2,241	2,040	3,219	2,868	11,368
CASES TERMINATED						
N.....	Civil.....	272	273	254	281	1,080
	Private.....	211	104	150	112	577
	Criminal.....	1,001	916	1,323	1,353	4,593
	Total for district.....	1,484	1,293	1,727	1,746	6,250
M.....	Civil (middle district not created until 1927).....	-----	67	123	107	297
	Private.....	-----	120	104	111	335
	Criminal.....	-----	723	1,298	940	2,961
	Total for district.....	-----	910	1,525	1,158	3,593
S.....	Civil.....	100	66	125	156	447
	Private.....	133	61	69	60	322
	Criminal.....	648	483	649	795	2,575
	Total for district.....	881	610	843	1,011	3,345
	Total for State.....	2,365	2,813	4,095	3,915	13,188
CASES PENDING						
N.....	Civil.....	316	126	217	188	-----
	Private.....	117	164	135	146	-----
	Criminal.....	1,595	1,435	1,187	1,390	-----
	Total for district.....	2,028	1,725	1,539	1,724	-----
M.....	Civil (middle district not created until 1927).....	-----	118	55	52	-----
	Private.....	-----	138	145	141	-----
	Criminal.....	-----	652	234	275	-----
	Total for district.....	-----	908	434	468	-----
S.....	Civil.....	159	91	63	45	-----
	Private.....	199	87	70	92	-----
	Criminal.....	1,590	880	696	426	-----
	Total for district.....	1,948	1,058	829	563	-----
	Total for State.....	3,976	3,691	2,802	2,755	-----

IDAHO

Population, 1920..... 431,866

District	Cases	1926	1927	1928	1929	Total
CASES COMMENCED						
	Civil.....	105	20	38	117	280
	Private.....	123	68	81	79	351
	Criminal.....	422	374	385	421	1,602
	Total for State.....	650	462	504	617	2,233
CASES TERMINATED						
	Civil.....	96	67	50	39	252
	Private.....	115	143	90	107	455
	Criminal.....	377	408	409	440	1,634
	Total for State.....	588	623	558	586	2,355
CASES PENDING						
	Civil.....	91	44	34	112	-----
	Private.....	211	131	113	85	-----
	Criminal.....	215	186	161	142	-----
	Total for State.....	517	361	308	339	-----

ILLINOIS

Population, 1920:
 Northern district..... 3,824,178
 Eastern district..... 1,250,590
 Southern district..... 1,410,542
 Total..... 6,485,310

Business transacted in Federal courts of each State for the period beginning fiscal year 1926 and ending fiscal year 1929—Continued

District	Cases	1926	1927	1928	1929	Total
CASES COMMENCED						
N.....	Civil.....	1,183	1,218	1,249	954	4,604
	Private.....	491	621	729	621	2,462
	Criminal.....	927	1,098	1,786	2,295	6,106
	Total for district.....	2,601	2,937	3,764	3,870	13,172
E.....	Civil.....	115	216	294	437	1,062
	Private.....	101	83	72	105	361
	Criminal.....	408	499	480	705	2,092
	Total for district.....	624	798	846	1,247	3,515
S.....	Civil.....	192	220	179	309	900
	Private.....	81	86	154	130	451
	Criminal.....	398	495	331	621	1,845
	Total for district.....	671	801	664	1,060	3,196
	Total for State.....	3,896	4,536	5,274	6,177	19,883
CASES TERMINATED						
N.....	Civil.....	1,074	1,381	866	1,161	4,482
	Private.....	507	510	699	582	2,298
	Criminal.....	1,051	789	1,608	2,283	5,731
	Total for district.....	2,632	2,680	3,173	4,026	12,511
E.....	Civil.....	111	232	281	400	1,024
	Private.....	63	93	84	103	373
	Criminal.....	409	513	482	713	2,117
	Total for district.....	613	838	847	1,216	3,514
S.....	Civil.....	194	197	208	257	856
	Private.....	81	44	117	93	335
	Criminal.....	524	325	412	433	1,694
	Total for district.....	799	566	737	783	2,885
	Total for State.....	4,044	4,084	4,757	6,025	18,910
CASES PENDING						
N.....	Civil.....	564	401	784	577	
	Private.....	909	1,020	960	999	
	Criminal.....	400	709	887	898	
	Total for district.....	1,873	2,130	2,631	2,474	
E.....	Civil.....	78	62	75	112	
	Private.....	190	180	168	170	
	Criminal.....	112	98	96	88	
	Total for district.....	380	340	339	370	
S.....	Civil.....	129	152	123	175	
	Private.....	164	206	243	280	
	Criminal.....	115	285	204	392	
	Total for district.....	408	643	570	847	
	Total for State.....	2,661	3,113	3,540	3,691	

INDIANA

Population, 1920:
 Northern district..... 1,063,910
 Southern district..... 1,866,480
 Total..... 2,930,390

District	Cases	1926	1927	1928	1929	Total
CASES COMMENCED						
N.....	Civil.....	123	139	34	158	454
	Private.....	222	224	13	113	572
	Criminal.....	285	279	113	320	997
	Total for district.....	630	642	160	591	2,023
S.....	Civil (new district created in 1928).....			330	91	421
	Private.....			252	134	386
	Criminal.....			623	391	1,014
	Total for district.....			1,205	616	1,821
	Total for State.....	630	642	1,365	1,207	3,844
CASES TERMINATED						
N.....	Civil.....	108	93	3	149	353
	Private.....	230	178	16	70	494
	Criminal.....	277	264	13	283	837
	Total for district.....	615	535	32	502	1,684

Business transacted in Federal courts of each State for the period beginning fiscal year 1926 and ending fiscal year 1929—Continued

District	Cases	1926	1927	1928	1929	Total
CASES TERMINATED—contd.						
S.....	Civil (new district created in 1928).....			383	98	481
	Private.....			211	299	510
	Criminal.....			691	381	1,072
	Total for district.....			1,285	778	2,063
	Total for State.....	615	535	1,317	1,280	3,747
CASES PENDING						
N.....	Civil.....	74	120	119	129	
	Private.....	215	261	221	265	
	Criminal.....	168	183	175	213	
	Total for district.....	457	564	515	607	
S.....	Civil (new district created in 1928).....			67	60	
	Private.....			302	137	
	Criminal.....			115	125	
	Total for district.....			484	322	
	Total for State.....	457	564	999	929	

IOWA

Population, 1920:
 Northern district..... 1,159,797
 Southern district..... 1,244,224
 Total..... 2,404,021

District	Cases	1926	1927	1928	1929	Total
CASES COMMENCED						
N.....	Civil.....	49	15	21	25	110
	Private.....	143	158	167	119	587
	Criminal.....	204	259	255	134	852
	Total for district.....	396	432	443	278	1,549
S.....	Civil.....	17	33	27	24	101
	Private.....	139	147	126	105	517
	Criminal.....	275	213	225	208	921
	Total for district.....	431	393	378	337	1,539
	Total for State.....	827	825	821	615	3,088
CASES TERMINATED						
N.....	Civil.....	48	18	26	27	119
	Private.....	273	159	205	161	798
	Criminal.....	207	304	294	168	973
	Total for district.....	528	481	525	356	1,890
S.....	Civil.....	15	24	32	43	114
	Private.....	157	125	158	163	603
	Criminal.....	294	201	261	246	1,002
	Total for district.....	466	350	451	452	1,719
	Total for State.....	994	831	976	808	3,609
CASES PENDING						
N.....	Civil.....	18	15	10	8	
	Private.....	164	158	120	79	
	Criminal.....	156	111	72	38	
	Total for district.....	338	284	202	125	
S.....	Civil.....	40	49	44	25	
	Private.....	197	219	187	129	
	Criminal.....	125	138	102	65	
	Total for district.....	362	406	333	219	
	Total for State.....	700	690	535	344	

KANSAS

Population 1920..... 1,769,257

District	Cases	1926	1927	1928	1929	Total
CASES COMMENCED						
	Civil.....	103	110	111	124	448
	Private.....	308	281	510	269	1,368
	Criminal.....	148	206	207	169	730
	Total for State.....	559	697	828	562	2,546

Business transacted in Federal courts of each State for the period beginning fiscal year 1926 and ending fiscal year 1929—Continued

District	Cases	1926	1927	1928	1929	Total
	CASES TERMINATED					
	Civil.....	110	88	132	85	415
	Private.....	295	337	349	288	1,269
	Criminal.....	146	206	242	197	791
	Total for State.....	551	631	723	570	2,475
	CASES PENDING					
	Civil.....	74	96	75	114	359
	Private.....	531	475	636	617	2,259
	Criminal.....	187	187	152	124	650
	Total for State.....	792	758	863	855	3,268

KENTUCKY

Population, 1920:	
Eastern district	1,226,383
Western district	1,190,247
Total	2,416,630

District	Cases	1926	1927	1928	1929	Total
CASES COMMENCED						
E	Civil	308	206	317	256	1,087
	Private	185	189	160	125	659
	Criminal	2,703	2,293	3,363	3,721	12,080
	Total for district	3,196	2,688	3,840	4,102	13,826
W	Civil	68	62	112	82	324
	Private	119	164	123	103	509
	Criminal	1,514	716	872	912	4,014
	Total for district	1,701	942	1,107	1,097	4,847
	Total for State	4,897	3,630	4,947	5,199	18,673
CASES TERMINATED						
E	Civil	322	332	278	280	1,212
	Private	248	140	187	176	751
	Criminal	3,045	1,790	3,984	3,737	12,556
	Total for district	3,615	2,262	4,449	4,193	14,519
W	Civil	100	87	94	89	370
	Private	80	143	130	137	490
	Criminal	1,901	1,194	975	934	5,004
	Total for district	2,081	1,424	1,199	1,160	5,864
	Total for State	5,696	3,686	5,648	5,353	20,383
CASES PENDING						
E	Civil	236	110	149	125	620
	Private	261	310	280	229	1,080
	Criminal	549	1,052	431	415	2,447
	Total for district	1,046	1,472	860	769	4,147
W	Civil	117	92	109	102	420
	Private	234	255	242	209	940
	Criminal	702	224	121	99	1,156
	Total for district	1,053	571	472	410	2,506
	Total for State	2,099	2,043	1,332	1,179	6,653

LOUISIANA

Population, 1920:	
Eastern district	853,85
Western district	944,64
Total	1,798,509

District	Cases	1926	1927	1928	1929	Total
CASES COMMENCED						
E	Civil	270	137	162	457	1,026
	Private	166	212	132	122	632
	Criminal	663	1,109	1,273	1,014	4,059
	Total for district	1,099	1,458	1,567	1,593	5,717
W	Civil	39	36	38	48	161
	Private	42	93	42	49	236
	Criminal	311	298	371	235	1,215
	Total for district	392	397	451	332	1,572
	Total for State	1,491	1,855	2,018	1,925	7,289

Business transacted in Federal courts of each State for the period beginning fiscal year 1926 and ending fiscal year 1929—Continued

District	Cases	1926	1927	1928	1929	Total
CASES TERMINATED						
E	Civil	358	214	188	383	1,143
	Private	322	383	258	124	1,087
	Criminal	1,535	1,214	1,305	974	5,028
	Total for district	2,215	1,811	1,751	1,481	7,258
W	Civil	44	40	44	40	168
	Private	34	80	53	78	245
	Criminal	428	258	390	250	1,326
	Total for district	506	378	487	368	1,739
	Total for State	2,721	2,189	2,238	1,849	8,997
CASES PENDING						
E	Civil	168	91	65	139	463
	Private	515	344	218	216	1,313
	Criminal	161	56	24	64	305
	Total for district	844	491	307	419	1,661
W	Civil	17	13	7	15	52
	Private	144	115	104	75	438
	Criminal	57	67	48	33	205
	Total for district	218	195	159	123	695
	Total for State	1,062	686	466	542	2,753

MAINE

Population, 1920	768,014
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District	Cases	1926	1927	1928	1929	Total
CASES COMMENCED						
	Civil	57	49	68	81	255
	Private	44	66	42	46	198
	Criminal	253	151	209	269	882
	Total for State	354	266	319	396	1,335
CASES TERMINATED						
	Civil	65	55	57	69	246
	Private	62	182	42	57	343
	Criminal	270	137	237	250	894
	Total for State	397	374	336	376	1,483
CASES PENDING						
	Civil	24	18	29	41	112
	Private	202	86	86	75	449
	Criminal	83	97	69	88	337
	Total for State	309	201	184	204	904

MARYLAND

Population, 1920	768,014
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District	Cases	1926	1927	1928	1929	Total
CASES COMMENCED						
	Civil	484	327	350	423	1,584
	Private	239	253	170	129	791
	Criminal	1,558	1,167	1,507	1,350	5,582
	Total for State	2,281	1,747	2,027	1,902	7,957
CASES TERMINATED						
	Civil	502	380	371	440	1,693
	Private	557	366	198	188	1,309
	Criminal	1,256	1,124	2,166	1,532	6,078
	Total for State	2,315	1,870	2,735	2,160	9,080
CASES PENDING						
	Civil	262	209	188	171	830
	Private	345	233	205	146	929
	Criminal	1,044	1,037	428	246	3,755
	Total for State	1,651	1,529	821	563	4,564

Business transacted in Federal courts of each State for the period beginning fiscal year 1926 and ending fiscal year 1929—Continued

MASSACHUSETTS

Population, 1920..... 3,852,356

District	Cases	1926	1927	1928	1929	Total
	CASES COMMENCED					
	Civil.....	435	405	424	775	2,039
	Private.....	462	402	414	382	1,660
	Criminal.....	624	671	633	579	2,507
	Total for State.....	1,521	1,478	1,471	1,736	6,206
	CASES TERMINATED					
	Civil.....	459	402	517	373	1,751
	Private.....	377	384	737	541	2,039
	Criminal.....	657	580	620	729	2,586
	Total for State.....	1,493	1,366	1,874	1,643	6,376
	CASES PENDING					
	Civil.....	446	449	356	758	-----
	Private.....	1,017	1,035	712	553	-----
	Criminal.....	336	427	440	290	-----
	Total for State.....	1,799	1,911	1,508	1,601	-----

MICHIGAN

Population, 1920:
 Eastern district..... 2,387,125
 Western district..... 1,211,699

Total..... 3,598,794

District	Cases	1926	1927	1928	1929	Total
	CASES COMMENCED					
E.....	Civil.....	688	800	949	1,241	3,678
	Private.....	149	252	392	304	1,097
	Criminal.....	1,361	1,706	1,880	1,831	6,778
	Total for district.....	2,198	2,758	3,221	3,376	11,553
W.....	Civil.....	48	49	80	136	313
	Private.....	68	102	100	76	346
	Criminal.....	272	224	266	274	1,036
	Total for district.....	388	375	446	486	1,695
	Total for State.....	2,586	3,133	3,667	3,862	13,248
	CASES TERMINATED					
E.....	Civil.....	786	723	779	1,050	3,338
	Private.....	256	148	295	325	1,024
	Criminal.....	1,510	1,687	1,879	1,800	6,876
	Total for district.....	2,552	2,558	2,953	3,175	11,238
W.....	Civil.....	29	69	69	150	317
	Private.....	77	90	102	101	370
	Criminal.....	308	241	285	282	1,116
	Total for district.....	414	400	456	533	1,803
	Total for State.....	2,966	2,958	3,409	3,708	13,041
	CASES PENDING					
E.....	Civil.....	228	305	388	659	-----
	Private.....	328	432	529	508	-----
	Criminal.....	327	346	379	410	-----
	Total for district.....	883	1,083	1,296	1,577	-----
W.....	Civil.....	50	30	41	27	-----
	Private.....	82	94	92	67	-----
	Criminal.....	69	52	33	25	-----
	Total for district.....	201	176	166	119	-----
	Total for State.....	1,084	1,259	1,462	1,696	-----

MINNESOTA

Population, 1920..... 2,387,125

District	Cases	1926	1927	1928	1929	Total
	CASES COMMENCED					
	Civil.....	232	261	852	1,408	2,753
	Private.....	376	606	382	341	1,705
	Criminal.....	778	698	1,364	1,771	4,611
	Total for State.....	1,386	1,565	2,598	3,520	9,069
	CASES TERMINATED					
	Civil.....	207	255	347	896	1,705
	Private.....	351	322	589	524	1,786
	Criminal.....	866	644	1,339	1,633	4,482
	Total for State.....	1,424	1,221	2,275	3,053	7,973

Business transacted in Federal courts of each State for the period beginning fiscal year 1926 and ending fiscal year 1929—Continued

District	Cases	1926	1927	1928	1929	Total
	CASES PENDING					
	Civil.....	326	342	845	1,357	-----
	Private.....	634	918	711	528	-----
	Criminal.....	264	353	378	516	-----
	Total for State.....	1,224	1,613	1,934	2,401	-----

MISSISSIPPI

Population, 1920:
 Northern district..... 809,026
 Southern district..... 981,592

Total..... 1,790,618

District	Cases	1926	1927	1928	1929	Total
	CASES COMMENCED					
N.....	Civil.....	58	69	101	117	345
	Private.....	56	43	44	55	198
	Criminal.....	253	351	489	516	1,609
	Total for district.....	367	463	634	688	2,152
S.....	Civil.....	31	34	24	64	153
	Private.....	378	136	141	158	813
	Criminal.....	281	242	498	290	1,311
	Total for district.....	690	412	663	512	2,277
	Total for State.....	1,057	875	1,297	1,200	4,429
	CASES TERMINATED					
N.....	Civil.....	53	61	86	112	312
	Private.....	72	47	46	53	218
	Criminal.....	271	367	498	472	1,608
	Total for district.....	396	475	630	637	2,138
S.....	Civil.....	47	44	43	22	156
	Private.....	137	107	151	144	539
	Criminal.....	323	299	439	338	1,399
	Total for district.....	507	450	633	504	2,094
	Total for State.....	903	925	1,263	1,141	4,232
	CASES PENDING					
N.....	Civil.....	23	31	41	46	-----
	Private.....	40	36	34	36	-----
	Criminal.....	152	145	132	177	-----
	Total for district.....	215	212	207	259	-----
S.....	Civil.....	41	30	10	50	-----
	Private.....	378	407	117	131	-----
	Criminal.....	160	102	161	100	-----
	Total for district.....	579	539	288	281	-----
	Total for State.....	794	751	495	540	-----

MISSOURI

Population, 1920:
 Eastern district..... 1,705,147
 Western district..... 1,698,908

Total..... 3,404,055

District	Cases	1926	1927	1928	1929	Total
	CASES COMMENCED					
E.....	Civil.....	66	70	73	129	338
	Private.....	353	383	305	347	1,388
	Criminal.....	929	881	1,211	1,119	4,140
	Total for district.....	1,348	1,334	1,589	1,595	5,866
W.....	Civil.....	119	153	174	268	714
	Private.....	435	375	539	394	1,743
	Criminal.....	788	647	881	1,038	3,354
	Total for district.....	1,342	1,175	1,594	1,700	5,811
	Total for State.....	2,690	2,509	3,183	3,295	11,677
	CASES PENDING					
E.....	Civil.....	66	52	73	78	269
	Private.....	375	302	388	337	1,402
	Criminal.....	868	988	1,127	1,097	4,080
	Total for district.....	1,309	1,342	1,588	1,512	5,751

Business transacted in Federal courts of each State for the period beginning fiscal year 1926 and ending fiscal year 1929—Continued

District	Cases	1926	1927	1928	1929	Total
W	CASES PENDING—continued					
	Civil	137	96	143	245	621
	Private	339	413	406	403	1,561
	Criminal	815	683	936	1,033	3,467
	Total for district	1,291	1,192	1,485	1,681	5,649
	Total for State	2,600	2,534	3,073	3,193	11,400
E	CASES TERMINATED					
	Civil	52	70	70	121	
	Private	448	454	371	381	
	Criminal	278	171	256	278	
	Total for district	778	695	697	780	
W	Civil	146	203	250	260	
	Private	545	507	640	631	
	Criminal	301	244	189	308	
	Total for district	992	954	1,079	1,199	
	Total for State	1,770	1,649	1,776	1,979	

MONTANA

Population, 1920..... 548,889

District	Cases	1926	1927	1928	1929	Total
	CASES COMMENCED					
	Civil	312	190	485	976	1,963
	Private	98	81	74	51	304
	Criminal	512	438	874	1,362	3,186
	Total for State	922	709	1,433	2,389	5,453
	CASES TERMINATED					
	Civil	325	178	234	822	1,559
	Private	97	71	79	53	300
	Criminal	480	345	832	1,202	2,859
	Total for State	902	594	1,145	2,077	4,718
	CASES PENDING					
	Civil	134	146	308	552	
	Private	203	213	208	206	
	Criminal	193	286	328	488	
	Total for State	530	645	934	1,246	

NEBRASKA

Population, 1920..... 1,296,372

District	Cases	1926	1927	1928	1929	Total
	CASES COMMENCED					
	Civil	118	159	193	144	614
	Private	250	231	215	204	900
	Criminal	516	507	805	419	2,247
	Total for State	884	897	1,213	767	3,761
	CASES TERMINATED					
	Civil	140	134	127	93	494
	Private	221	244	254	262	981
	Criminal	552	565	692	436	2,245
	Total for State	913	943	1,073	791	3,720
	CASES PENDING					
	Civil	136	161	225	276	
	Private	396	412	374	314	
	Criminal	315	257	370	353	
	Total for State	847	830	969	943	

NEVADA

Population, 1920..... 77,407

District	Cases	1926	1927	1928	1929	Total
	CASES COMMENCED					
	Civil	137	68	63	75	343
	Private	16	19	19	15	69
	Criminal	465	240	186	243	1,124
	Total for State	618	317	268	333	1,536
	CASES TERMINATED					
	Civil	63	100	148	66	377
	Private	31	42	20	22	115
	Criminal	344	368	285	241	1,238
	Total for State	438	510	453	329	1,730

Business transacted in Federal courts of each State for the period beginning fiscal year 1926 and ending fiscal year 1929—Continued

District	Cases	1926	1927	1928	1929	Total
	CASES PENDING					
	Civil	192	156	71	80	
	Private	65	42	41	34	
	Criminal	334	196	97	102	
	Total for State	591	394	209	216	

NEW HAMPSHIRE

Population, 1920..... 443,083

District	Cases	1926	1927	1928	1929	Total
	CASES COMMENCED					
	Civil	120	60	116	99	395
	Private	45	25	19	18	107
	Criminal	290	291	367	347	1,295
	Total for State	455	376	502	464	1,797
	CASES TERMINATED					
	Civil	114	72	112	90	388
	Private	55	31	26	15	127
	Criminal	285	307	361	335	1,288
	Total for State	454	410	499	440	1,803
	CASES PENDING					
	Civil	14	2	6	15	
	Private	28	22	15	18	
	Criminal	24	8	14	26	
	Total for State	66	32	35	59	

NEW JERSEY

Population, 1920..... 3,155,900

District	Cases	1926	1927	1928	1929	Total
	CASES COMMENCED					
	Civil	1,177	865	751	1,155	3,948
	Private	542	664	616	503	2,325
	Criminal	925	510	762	1,041	3,238
	Total for State	2,644	2,039	2,129	2,699	9,511
	CASES TERMINATED					
	Civil	1,035	983	651	1,054	3,723
	Private	353	518	792	867	2,530
	Criminal	2,739	635	628	1,051	5,053
	Total for State	4,127	2,136	2,071	2,972	11,306
	CASES PENDING					
	Civil	1,362	1,244	1,344	1,445	
	Private	1,082	1,228	1,052	688	
	Criminal	1,030	905	1,039	1,029	
	Total for State	3,474	3,377	3,435	3,162	

NEW MEXICO

Population, 1920..... 360,350

District	Cases	1926	1927	1928	1929	Total
	CASES COMMENCED					
	Civil	36	38	25	59	158
	Private	81	59	64	56	260
	Criminal	341	298	293	387	1,319
	Total for State	458	395	382	502	1,737
	CASES TERMINATED					
	Civil	26	47	25	38	136
	Private	104	85	66	78	333
	Criminal	359	318	278	395	1,350
	Total for State	489	450	369	511	1,819
	CASES PENDING					
	Civil	26	17	17	38	
	Private	94	68	64	42	
	Criminal	68	48	63	55	
	Total for State	188	133	144	135	

NEW YORK

Population, 1920:
 Northern district..... 1,978,437
 Eastern district..... 2,840,295
 Southern district..... 3,801,364
 Western district..... 1,765,131
 Total..... 10,485,227

Business transacted in Federal courts of each State for the period beginning fiscal year 1926 and ending fiscal year 1929—Continued

District	Cases	1926	1927	1928	1929	Total
CASES COMMENCED						
N.	Civil	383	661	502	667	2,213
	Private	75	131	159	150	515
	Criminal	2,135	1,804	2,099	2,474	8,572
	Total for district	2,593	2,656	2,760	3,291	11,300
E.	Civil	931	903	1,259	1,061	4,154
	Private	1,980	2,096	1,634	694	6,404
	Criminal	2,608	2,349	2,227	2,343	9,527
	Total for district	5,519	5,348	5,120	4,098	20,085
S.	Civil	2,205	1,985	1,515	1,384	7,089
	Private	1,344	2,212	2,205	2,013	7,804
	Criminal	3,243	2,059	9,708	8,374	23,384
	Total for district	6,792	6,286	13,428	11,771	38,277
W.	Civil	412	247	340	558	1,557
	Private	166	188	253	180	787
	Criminal	1,715	1,674	1,181	1,843	6,413
	Total for district	2,293	2,109	1,774	2,581	8,757
CASES TERMINATED						
N.	Civil	282	668	561	589	2,100
	Private	52	73	150	91	366
	Criminal	2,095	2,015	1,968	2,759	8,837
	Total for district	2,429	2,756	2,679	3,439	11,303
E.	Civil	708	1,282	1,299	1,343	4,582
	Private	529	1,748	1,246	962	4,485
	Criminal	2,363	2,360	4,727	2,485	11,935
	Total for district	3,600	5,340	7,272	4,790	21,002
S.	Civil	2,293	3,236	1,067	1,352	7,948
	Private	1,575	2,805	1,501	2,070	7,951
	Criminal	6,225	2,135	8,863	8,202	25,425
	Total for district	10,093	8,176	11,431	11,624	41,324
W.	Civil	275	272	271	462	1,280
	Private	199	149	339	195	882
	Criminal	1,094	2,483	1,222	1,239	6,038
	Total for district	1,568	2,904	1,832	1,896	8,200
CASES PENDING						
N.	Civil	315	309	250	328	1,202
	Private	1,004	1,062	1,071	1,130	4,267
	Criminal	1,244	1,092	1,199	914	4,449
	Total for district	2,563	2,463	2,520	2,372	9,918
E.	Civil	1,655	1,326	1,286	1,041	5,308
	Private	7,294	7,642	8,030	7,762	30,728
	Criminal	3,708	3,697	1,204	1,098	9,707
	Total for district	12,657	12,665	10,520	9,901	45,743
S.	Civil	4,594	3,343	3,791	3,823	15,551
	Private	4,499	3,936	4,640	4,583	17,658
	Criminal	2,077	1,931	2,776	2,948	9,732
	Total for district	11,170	9,210	11,207	11,354	41,941
W.	Civil	478	453	522	618	2,071
	Private	349	387	314	299	1,349
	Criminal	2,101	1,292	1,251	1,855	6,549
	Total for district	2,928	2,132	2,087	2,772	9,919
Total for State						
29,318 26,570 26,334 26,399						

NORTH CAROLINA

Population, 1920:	
Eastern district	1,164,785
Middle district	725,344
Western district	668,994
Total	2,559,123

District	Cases	1926	1927	1928	1929	Total
CASES COMMENCED						
E.	Civil	80	123	88	74	365
	Private	176	122	125	118	541
	Criminal	563	488	561	877	2,489
	Total for district	819	733	774	1,069	3,395

Business transacted in Federal courts of each State for the period beginning fiscal year 1926 and ending fiscal year 1929—Continued

District	Cases	1926	1927	1928	1929	Total
CASES COMMENCED—continued						
M.	Civil (middle district not created until 1927).		114	226	128	468
	Private		64	71	46	181
	Criminal		356	721	772	1,849
	Total for district		534	1,018	946	2,498
W.	Civil	174	223	112	226	735
	Private	93	107	144	108	452
	Criminal	1,292	849	627	568	3,336
	Total for district	1,559	1,179	883	902	4,523
CASES TERMINATED						
E.	Civil	79	140	72	71	362
	Private	163	185	203	142	693
	Criminal	597	542	560	865	2,564
	Total for district	839	867	835	1,078	3,619
M.	Civil (middle district not created until 1927).		1	230	171	402
	Private		5	62	41	108
	Criminal		21	656	706	1,383
	Total for district		27	948	918	1,893
W.	Civil	154	295	130	133	712
	Private	84	120	111	117	432
	Criminal	1,260	1,003	767	915	3,945
	Total for district	1,498	1,418	1,008	1,165	5,089
CASES PENDING						
E.	Civil	61	44	60	63	228
	Private	360	297	219	195	1,071
	Criminal	206	152	153	165	676
	Total for district	627	493	432	423	2,075
M.	Civil (middle district, not created until 1927).		113	109	66	388
	Private		59	68	73	200
	Criminal		335	400	466	1,201
	Total for district		507	577	605	1,690
W.	Civil	180	108	90	183	561
	Private	231	211	198	189	829
	Criminal	1,063	909	769	422	3,163
	Total for district	1,474	1,228	1,057	794	4,553
Total for State						
2,101 2,228 2,066 1,822						

NORTH DAKOTA

Population, 1920..... 646,872

District	Cases	1926	1927	1928	1929	Total
CASES COMMENCED						
	Civil	73	68	54	30	225
	Private	101	94	81	92	368
	Criminal	151	110	112	155	528
	Total for State	325	272	247	277	1,121
CASES TERMINATED						
	Civil	31	65	78	48	222
	Private	163	78	107	91	439
	Criminal	154	72	168	132	526
	Total for State	348	215	353	271	1,187
CASES PENDING						
	Civil	72	75	51	33	231
	Private	91	107	81	82	361
	Criminal	171	209	154	177	611
	Total for State	334	391	286	292	1,303

OHIO

Population, 1920:	
Northern district	3,195,677
Southern district	2,563,717
Total	5,759,394

Business transacted in Federal courts of each State for the period beginning fiscal year 1926 and ending fiscal year 1929—Continued

District	Cases	1926	1927	1928	1929	Total
CASES COMMENCED						
N	Civil	503	539	508	534	2,084
	Private	815	1,020	893	737	3,465
	Criminal	1,337	1,005	1,142	1,225	4,709
	Total for district	2,655	2,564	2,543	2,496	10,258
S	Civil	110	197	310	374	991
	Private	328	294	267	278	1,167
	Criminal	318	402	663	555	1,938
	Total for district	756	893	1,240	1,207	4,096
	Total for State	3,411	3,457	3,783	3,703	14,354
CASES TERMINATED						
N	Civil	517	531	563	414	2,025
	Private	890	828	932	804	3,454
	Criminal	1,388	1,104	1,091	1,249	4,832
	Total for district	2,795	2,463	2,586	2,467	10,311
S	Civil	127	169	293	201	790
	Private	281	268	249	262	1,060
	Criminal	316	438	621	446	1,821
	Total for district	724	875	1,163	909	3,671
	Total for State	3,519	3,338	3,749	3,376	13,982
CASES PENDING						
N	Civil	356	364	309	429	1,458
	Private	651	843	804	737	3,035
	Criminal	598	469	520	496	2,083
	Total for district	1,575	1,676	1,633	1,662	6,546
S	Civil	58	86	103	276	523
	Private	395	421	439	455	1,710
	Criminal	91	74	116	225	506
	Total for district	544	581	658	956	2,739
	Total for State	2,119	2,257	2,291	2,618	9,285

OKLAHOMA

Population, 1920:	
Northern district	403,687
Eastern district	830,513
Western district	794,083
Total	2,028,283

District	Cases	1926	1927	1928	1929	Total
CASES COMMENCED						
N	Civil	63	55	110	95	314
	Private	270	191	239	191	911
	Criminal	761	746	1,090	794	3,391
	Total for district	1,094	992	1,439	1,071	4,616
E	Civil	57	60	61	76	254
	Private	239	177	332	286	1,034
	Criminal	861	1,027	1,055	950	3,893
	Total for district	1,157	1,264	1,448	1,312	5,181
W	Civil	120	95	77	97	389
	Private	184	133	251	224	792
	Criminal	659	587	681	699	2,626
	Total for district	963	815	1,009	1,020	3,807
	Total for State	3,214	3,071	3,916	3,403	13,604
CASES TERMINATED						
N	Civil	46	38	102	94	380
	Private	173	203	182	239	797
	Criminal	581	566	1,008	760	3,005
	Total for district	800	807	1,332	1,093	4,032
E	Civil	62	49	57	64	232
	Private	343	150	240	381	1,114
	Criminal	821	1,151	1,182	910	4,064
	Total for district	1,226	1,350	1,479	1,355	5,410
W	Civil	54	82	66	64	266
	Private	218	133	191	189	731
	Criminal	623	614	662	641	2,540
	Total for district	895	829	919	894	3,537
	Total for State	2,921	2,986	3,780	3,342	13,029

Business transacted in Federal courts of each State for the period beginning fiscal year 1926 and ending fiscal year 1929—Continued

District	Cases	1926	1927	1928	1929	Total
CASES PENDING						
N	Civil	46	63	71	58	238
	Private	208	196	273	225	902
	Criminal	342	522	514	548	1,926
	Total for district	596	781	858	831	3,066
E	Civil	51	62	66	78	257
	Private	235	262	354	259	1,110
	Criminal	493	369	242	282	1,386
	Total for district	779	693	662	619	2,753
W	Civil	111	124	135	146	516
	Private	174	174	234	269	851
	Criminal	572	545	564	601	2,282
	Total for district	857	843	933	1,016	3,649
	Total for State	2,232	2,317	2,453	2,466	9,468

OREGON

Population, 1920: 783,389

District	Cases	1926	1927	1928	1929	Total
CASES COMMENCED						
	Civil	143	146	116	179	584
	Private	188	152	141	166	647
	Criminal	412	391	431	335	1,569
	Total for State	743	689	688	680	2,800
CASES TERMINATED						
	Civil	123	175	114	130	542
	Private	219	175	177	132	703
	Criminal	462	463	493	338	1,756
	Total for State	804	813	784	600	3,001
CASES PENDING						
	Civil	99	70	75	124	368
	Private	306	158	122	156	742
	Criminal	269	197	130	127	723
	Total for State	674	425	327	407	1,833

PENNSYLVANIA

Population, 1920:	
Eastern district	3,287,781
Middle district	1,987,383
Western district	3,444,853
Total	8,720,017

District	Cases	1926	1927	1928	1929	Total
CASES COMMENCED						
E	Civil	427	497	659	725	2,308
	Private	411	463	461	464	1,799
	Criminal	467	310	552	945	2,274
	Total for district	1,305	1,270	1,672	2,134	6,381
M	Civil	118	69	119	113	419
	Private	72	61	101	95	329
	Criminal	474	390	456	422	1,842
	Total for district	664	520	676	630	2,590
W	Civil	335	1,625	1,535	1,474	4,969
	Private	485	169	247	264	1,165
	Criminal	1,312	1,811	1,377	1,269	5,769
	Total for district	2,132	3,605	3,159	3,007	11,903
	Total for State	4,101	5,395	5,507	5,871	20,874
CASES TERMINATED						
E	Civil	466	527	760	706	2,459
	Private	265	570	398	427	1,660
	Criminal	533	580	614	895	2,622
	Total for district	1,264	1,677	1,772	2,028	6,741
M	Civil	92	85	101	124	402
	Private	97	70	116	127	410
	Criminal	1,549	427	482	529	2,987
	Total for district	1,738	582	699	780	3,799

Business transacted in Federal courts of each State for the period beginning fiscal year 1926 and ending fiscal year 1929—Continued

District	Cases	1926	1927	1928	1929	Total
CASES TERMINATED—CON.						
W	Civil	397	1,387	1,461	1,464	4,709
	Private	974	117	116	674	1,881
	Criminal	1,218	1,510	1,659	1,379	5,766
	Total for district	2,589	3,014	3,236	3,517	12,356
	Total for State	5,591	5,273	5,707	6,325	22,896
CASES PENDING						
E	Civil	888	858	757	776	
	Private	1,547	1,440	1,503	1,540	
	Criminal	615	355	293	343	
	Total for district	3,050	2,653	2,553	2,659	
M	Civil	106	90	108	97	
	Private	209	200	185	153	
	Criminal	169	132	106	99	
	Total for district	484	422	399	349	
W	Civil	327	565	643	647	
	Private	1,516	1,568	1,482	1,043	
	Criminal	400	788	506	396	
	Total for district	2,243	2,921	2,631	2,086	
	Total for State	5,777	5,996	5,583	5,094	

Population, 1920..... RHODE ISLAND..... 604,397

District	Cases	1926	1927	1928	1929	Total
CASES COMMENCED						
	Civil	128	127	119	119	493
	Private	42	47	45	47	181
	Criminal	328	297	225	336	1,186
	Total for State	498	471	389	502	1,860
CASES TERMINATED						
	Civil	103	159	121	153	536
	Private	45	38	84	52	219
	Criminal	399	240	279	364	1,282
	Total for State	547	437	484	569	2,037
CASES PENDING						
	Civil	125	92	90	56	
	Private	91	99	60	55	
	Criminal	98	156	102	75	
	Total for State	314	347	252	186	

Population, 1920:
 Eastern district..... 965,010
 Western district..... 718,714
 Total..... 1,683,724

District	Cases	1926	1927	1928	1929	Total
CASES COMMENCED						
E	Civil	26	54	24	41	145
	Private	229	150	174	137	690
	Criminal	388	216	261	548	1,413
	Total for district	643	420	459	726	2,248
W	Civil	73	52	64	65	254
	Private	57	38	89	50	234
	Criminal	443	271	333	329	1,376
	Total for district	573	361	486	444	1,864
	Total for State	1,216	781	945	1,170	4,112
CASES TERMINATED						
E	Civil	42	34	35	40	151
	Private	226	146	208	124	704
	Criminal	476	236	246	398	1,356
	Total for district	744	416	489	562	2,211
W	Civil	61	70	55	70	256
	Private	59	41	65	72	237
	Criminal	484	294	341	326	1,445
	Total for district	604	405	461	468	1,938
	Total for State	1,348	821	950	1,030	4,149

Business transacted in Federal courts of each State for the period beginning fiscal year 1926 and ending fiscal year 1929—Continued

District	Cases	1926	1927	1928	1929	Total
CASES PENDING						
E	Civil	37	57	46	47	
	Private	159	163	129	142	
	Criminal	535	515	530	680	
	Total for district	731	735	705	869	
W	Civil	42	24	33	28	
	Private	60	57	81	59	
	Criminal	140	117	109	112	
	Total for district	242	198	223	199	
	Total for State	973	933	928	1,068	

Population 1920..... SOUTH DAKOTA..... 783,339

District	Cases	1926	1927	1928	1929	Total
CASES COMMENCED						
	Civil	33	25	27	28	113
	Private	140	136	78	68	422
	Criminal	404	172	286	311	1,173
	Total for State	577	333	391	407	1,708
CASES TERMINATED						
	Civil	7	38	49	35	129
	Private	94	105	203	92	494
	Criminal	239	322	288	349	1,198
	Total for State	340	465	540	476	1,821
CASES PENDING						
	Civil	88	75	53	43	
	Private	285	316	191	167	
	Criminal	367	217	215	177	
	Total for State	740	608	459	387	

Population, 1920:
 Eastern district..... 804,581
 Middle district..... 830,752
 Western district..... 702,552
 Total..... 2,337,885

District	Cases	1926	1927	1928	1929	Total
CASES COMMENCED						
E	Civil	160	114	138	251	663
	Private	47	56	63	70	236
	Criminal	1,092	648	823	813	3,376
	Total for district	1,299	818	1,024	1,134	4,275
M	Civil	98	68	118	134	418
	Private	36	29	26	31	122
	Criminal	685	794	575	618	2,672
	Total for district	819	891	719	783	3,212
W	Civil	63	69	84	49	265
	Private	73	48	59	44	224
	Criminal	304	196	365	276	1,141
	Total for district	440	313	508	369	1,630
	Total for State	2,558	2,022	2,251	2,286	9,117
CASES TERMINATED						
E	Civil	178	132	138	155	603
	Private	63	44	55	80	242
	Criminal	1,032	666	799	1,006	3,503
	Total for district	1,273	842	992	1,241	4,348
M	Civil	130	58	122	121	431
	Private	61	29	30	23	143
	Criminal	822	613	676	462	2,572
	Total for district	1,013	700	827	606	3,146
W	Civil	75	49	89	28	241
	Private	52	63	81	37	233
	Criminal	487	216	335	300	1,338
	Total for district	614	328	505	365	1,812
	Total for State	2,900	1,870	2,324	2,212	9,306

Business transacted in Federal courts of each State for the period beginning fiscal year 1926 and ending fiscal year 1929—Continued

District	Cases	1926	1927	1928	1929	Total
CASES PENDING						
E.....	Civil.....	103	85	85	181	.....
	Private.....	61	73	81	72	.....
	Criminal.....	391	373	397	204	.....
	Total for district.....	555	531	563	457	.....
M.....	Civil.....	69	79	75	88	.....
	Private.....	68	68	64	72	.....
	Criminal.....	382	563	463	619	.....
	Total for district.....	519	710	602	779	.....
W.....	Civil.....	21	41	37	58	.....
	Private.....	114	99	76	83	.....
	Criminal.....	70	50	80	56	.....
	Total for district.....	205	190	193	197	.....
	Total for State.....	1,279	1,431	1,358	1,433	.....

TEXAS

Population, 1920:
 Northern district..... 1,428,593
 Eastern district..... 1,144,483
 Southern district..... 850,751
 Western district..... 1,239,401
 Total..... 4,673,228

District	Cases	1926	1927	1928	1929	Total
CASES COMMENCED						
N.....	Civil.....	125	73	117	160	475
	Private.....	282	358	414	357	1,411
	Criminal.....	538	940	1,552	1,171	4,201
	Total for district.....	945	1,371	2,083	1,688	6,087
E.....	Civil.....	36	47	78	63	224
	Private.....	123	153	148	170	594
	Criminal.....	263	243	423	449	1,378
	Total for district.....	422	443	649	682	2,196
S.....	Civil.....	183	245	204	262	894
	Private.....	134	145	160	136	575
	Criminal.....	690	928	956	1,290	3,864
	Total for district.....	1,007	1,318	1,320	1,688	5,333
W.....	Civil.....	98	102	133	118	451
	Private.....	142	145	140	220	647
	Criminal.....	1,399	1,357	1,437	1,610	5,803
	Total for district.....	1,639	1,604	1,710	1,948	6,901
	Total for State.....	4,013	4,736	5,762	5,006	20,517
CASES TERMINATED						
N.....	Civil.....	114	77	101	147	439
	Private.....	335	347	403	397	1,482
	Criminal.....	580	970	1,533	1,144	4,227
	Total for district.....	1,029	1,394	2,037	1,688	6,148
E.....	Civil.....	52	41	77	63	233
	Private.....	125	161	199	148	633
	Criminal.....	291	241	422	467	1,421
	Total for district.....	468	443	698	678	2,287
S.....	Civil.....	206	274	199	219	898
	Private.....	146	191	158	141	636
	Criminal.....	807	910	958	1,273	3,948
	Total for district.....	1,159	1,375	1,315	1,633	5,482
W.....	Civil.....	115	116	128	89	448
	Private.....	187	133	151	224	695
	Criminal.....	1,421	1,409	1,458	1,616	5,904
	Total for district.....	1,723	1,658	1,737	1,929	7,047
	Total for State.....	4,379	4,870	5,787	5,928	20,964
CASES PENDING						
N.....	Civil.....	83	79	94	107	.....
	Private.....	299	310	321	281	.....
	Criminal.....	188	158	178	205	.....
	Total for district.....	570	547	593	593	.....
E.....	Civil.....	17	23	24	24	.....
	Private.....	145	137	86	108	.....
	Criminal.....	60	62	63	45	.....
	Total for district.....	222	222	173	177	.....

Business transacted in Federal courts of each State for the period beginning fiscal year 1926 and ending fiscal year 1929—Continued

District	Cases	1926	1927	1928	1929	Total
CASES PENDING—continued						
S.....	Civil.....	150	121	126	169	.....
	Private.....	162	116	118	113	.....
	Criminal.....	158	176	174	191	.....
	Total for district.....	470	413	418	473	.....
W.....	Civil.....	64	50	55	84	.....
	Private.....	126	138	127	123	.....
	Criminal.....	241	189	168	162	.....
	Total for district.....	431	377	250	369	.....
	Total for State.....	1,093	1,559	1,434	1,612	.....

UTAH

Population, 1920..... 449,396

District	Cases	1926	1927	1928	1929	Total
CASES COMMENCED						
	Civil.....	37	24	92	72	225
	Private.....	51	46	65	41	203
	Criminal.....	134	105	201	122	562
	Total for State.....	222	175	358	235	990
CASES TERMINATED						
	Civil.....	25	27	76	91	219
	Private.....	61	66	63	46	236
	Criminal.....	164	113	168	151	596
	Total for State.....	250	206	307	288	1,051
CASES PENDING						
	Civil.....	33	30	46	27	.....
	Private.....	68	48	50	45	.....
	Criminal.....	75	67	100	71	.....
	Total for State.....	176	145	196	143	.....

VERMONT

Population, 1920..... 352,428

District	Cases	1926	1927	1928	1929	Total
CASES COMMENCED						
	Civil.....	55	46	39	31	171
	Private.....	12	25	22	19	78
	Criminal.....	184	197	179	265	825
	Total for State.....	251	268	240	315	1,074
CASES TERMINATED						
	Civil.....	35	46	55	29	165
	Private.....	25	13	20	25	83
	Criminal.....	210	201	157	271	839
	Total for State.....	270	260	232	325	1,087
CASES PENDING						
	Civil.....	36	36	20	22	.....
	Private.....	56	68	70	64	.....
	Criminal.....	104	100	122	116	.....
	Total for State.....	196	204	212	202	.....

VIRGINIA

Population, 1920:
 Eastern district..... 1,204,774
 Western district..... 1,104,413
 Total..... 2,309,187

District	Cases	1926	1927	1928	1929	Total
CASES COMMENCED						
E.....	Civil.....	112	82	92	113	399
	Private.....	153	165	129	118	565
	Criminal.....	435	298	307	285	1,325
	Total for district.....	700	545	528	516	2,289
W.....	Civil.....	175	143	58	70	446
	Private.....	59	47	25	43	174
	Criminal.....	235	316	366	337	1,254
	Total for district.....	469	506	449	450	1,874
	Total for State.....	1,169	1,051	917	966	4,163

Business transacted in Federal courts of each State for the period beginning fiscal year 1926 and ending fiscal year 1929—Continued

District	Cases	1926	1927	1928	1929	Total
CASES TERMINATED						
E.....	Civil.....	130	99	123	80	432
	Private.....	250	260	176	118	804
	Criminal.....	472	308	300	302	1,382
	Total for district.....	852	667	599	500	2,618
W.....	Civil.....	194	118	61	59	432
	Private.....	66	37	43	40	186
	Criminal.....	512	305	383	331	1,531
	Total for district.....	772	460	487	430	2,149
	Total for State.....	1,624	1,127	1,086	930	4,767
CASES PENDING						
E.....	Civil.....	22	88	57	90	257
	Private.....	226	131	84	84	525
	Criminal.....	138	128	135	118	529
	Total for district.....	386	347	276	292	1,291
W.....	Civil.....	45	70	39	50	204
	Private.....	50	60	42	45	197
	Criminal.....	127	138	121	127	513
	Total for district.....	222	268	202	222	914
	Total for State.....	608	615	478	514	2,215

WASHINGTON

Population, 1920:	
Eastern district.....	437,191
Western district.....	919,430
Total.....	1,356,621

District	Cases	1926	1927	1928	1929	Total
CASES COMMENCED						
E.....	Civil.....	34	34	38	84	190
	Private.....	58	56	42	53	209
	Criminal.....	172	138	259	169	738
	Total for district.....	264	228	339	306	1,137
W.....	Civil.....	238	242	262	496	1,238
	Private.....	210	176	218	149	753
	Criminal.....	1,077	944	749	715	3,485
	Total for district.....	1,525	1,362	1,229	1,360	5,476
	Total for State.....	1,789	1,590	1,568	1,666	6,613
CASES TERMINATED						
E.....	Civil.....	45	39	45	43	172
	Private.....	41	57	55	46	199
	Criminal.....	178	155	207	205	745
	Total for district.....	264	251	307	294	1,116
W.....	Civil.....	282	201	284	315	1,082
	Private.....	255	162	205	185	807
	Criminal.....	1,034	681	1,161	853	3,729
	Total for district.....	1,571	1,044	1,650	1,353	5,618
	Total for State.....	1,835	1,295	1,957	1,647	6,734
CASES PENDING						
E.....	Civil.....	31	26	19	60	136
	Private.....	76	75	62	69	282
	Criminal.....	61	42	94	58	255
	Total for district.....	168	143	175	187	673
W.....	Civil.....	170	212	194	373	959
	Private.....	206	220	233	197	856
	Criminal.....	514	776	381	246	1,917
	Total for district.....	890	1,208	808	816	3,722
	Total for State.....	1,058	1,351	983	1,003	4,395

WEST VIRGINIA

Population, 1920:	
Northern district.....	695,066
Southern district.....	768,635
Total.....	1,463,701

District	Cases	1926	1927	1928	1929	Total
CASES COMMENCED						
N.....	Civil.....	83	111	165	187	546
	Private.....	51	48	47	52	198
	Criminal.....	593	692	819	748	2,852
	Total for district.....	727	851	1,031	987	3,596

Business transacted in Federal courts of each State for the period beginning fiscal year 1926 and ending fiscal year 1929—Continued

District	Cases	1926	1927	1928	1929	Total
CASES COMMENCED—continued						
S.....	Civil.....	325	351	335	375	1,386
	Private.....	131	119	95	115	460
	Criminal.....	2,469	2,663	2,428	2,177	9,737
	Total for district.....	2,925	3,133	2,858	2,667	11,583
	Total for State.....	3,652	3,984	3,889	3,654	15,179
CASES TERMINATED						
N.....	Civil.....	83	35	166	214	498
	Private.....	47	37	50	54	188
	Criminal.....	661	688	1,029	706	3,084
	Total for district.....	791	760	1,245	974	3,770
S.....	Civil.....	290	362	329	269	1,250
	Private.....	198	101	133	137	569
	Criminal.....	2,215	2,610	2,619	2,007	9,541
	Total for district.....	2,703	3,073	2,081	2,503	11,360
	Total for State.....	3,494	3,833	4,326	3,477	15,130
CASES PENDING						
N.....	Civil.....	67	149	148	121	485
	Private.....	133	144	141	189	607
	Criminal.....	265	269	59	100	703
	Total for district.....	465	562	348	360	1,735
S.....	Civil.....	204	193	199	220	816
	Private.....	156	174	136	114	580
	Criminal.....	820	893	702	782	3,207
	Total for district.....	1,180	1,260	1,037	1,116	4,593
	Total for State.....	1,645	1,822	1,385	1,476	6,328

WISCONSIN

Population, 1920:	
Eastern district.....	1,440,983
Western district.....	1,190,770
Total.....	2,631,753

District	Cases	1926	1927	1928	1929	Total
CASES COMMENCED						
E.....	Civil.....	198	82	162	186	628
	Private.....	114	93	118	106	431
	Criminal.....	223	153	361	528	1,265
	Total for district.....	535	328	641	820	2,324
W.....	Civil.....	34	83	60	70	247
	Private.....	63	44	53	86	246
	Criminal.....	140	137	278	363	918
	Total for district.....	237	264	391	519	1,411
	Total for State.....	772	592	1,032	1,339	3,735
CASES TERMINATED						
E.....	Civil.....	193	83	116	234	626
	Private.....	102	89	114	96	401
	Criminal.....	232	123	386	376	1,117
	Total for district.....	527	295	616	706	2,144
W.....	Civil.....	46	67	58	58	229
	Private.....	47	56	67	48	218
	Criminal.....	123	173	226	350	872
	Total for district.....	216	296	351	456	1,319
	Total for State.....	743	591	967	1,162	3,463
CASES PENDING						
E.....	Civil.....	46	45	91	43	225
	Private.....	135	139	143	153	570
	Criminal.....	74	104	79	231	528
	Total for district.....	255	288	313	427	1,283
W.....	Civil.....	14	30	32	44	120
	Private.....	119	107	93	131	450
	Criminal.....	133	97	149	162	541
	Total for district.....	266	234	274	337	1,111
	Total for State.....	521	522	587	764	2,394

WYOMING

Population 1920.....	194,402
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District	Cases	1926	1927	1928	1929	Total
CASES COMMENCED						
	Civil.....	30	28	40	52	150
	Private.....	94	38	37	36	205
	Criminal.....	121	84	141	124	470
	Total for State.....	245	150	218	212	825

Business transacted in Federal courts of each State for the period beginning fiscal year 1926 and ending fiscal year 1929—Continued

District	Cases	1926	1927	1928	1929	Total
CASES TERMINATED						
Civil.....		34	36	39	48	157
Private.....		81	60	60	35	236
Criminal.....		163	79	145	121	508
Total for State.....		278	175	244	204	901
CASES PENDING						
Civil.....		29	21	22	26	-----
Private.....		95	72	49	50	-----
Criminal.....		28	33	29	33	-----
Total for State.....		152	126	100	109	-----

IMPROVEMENT OF PROCEDURE IN IMPEACHMENTS

The SPEAKER pro tempore. Under the special order of the House the gentleman, from Texas [Mr. SUMNERS] is recognized for 30 minutes.

Mr. SUMNERS of Texas. We have listened to a very interesting and instructive address dealing with the work of the judiciary.

It is a good thing for Members of the House occasionally to turn aside from the pressure incident to the enactment of current legislation, and give consideration to things which are of permanent and general interest to the Government.

I want to direct your attention this afternoon to a condition which holds possibilities of substantial improvement, namely, procedure in impeachments. In theory the impeachment power is applicable to all civil officers of the Government. But due to limited tenure and to other methods of removal of all Federal officers other than members of the judiciary the importance of the impeachment power in our system of Government in practical operation is limited almost exclusively to judicial officers, who are appointed for life, conditioned only upon good behavior.

It is not probable there ever will develop in this country any necessity to call a large number of Federal judges to the bar of the Senate. As a rule Federal judges are high class, conscientious persons. But the fact that these officers are appointed for life makes clear that there is associated with that character of tenure a necessity for an efficient agency of supervision and control exercised in the public interest, not control of the opinion of judges, to be sure, but control of the conduct of judges as that conduct is related to public confidence and to integrity of public justice. It was never contemplated that we would either in theory or in fact establish in this country a lot of petty despots answerable to nobody, which would be the case, potentially at least, but for the power of removal which is embodied in the impeachment provisions of the Constitution. Not only is there inherent in this character of tenure the necessity for an effective agency for examination and determination affecting the question of "good behavior" as that expression is used in the Constitution, but there is also the highest necessity to protect Federal judges against intimidation and unnecessary annoyance through the unwarranted initiation or threatened initiation of impeachment proceedings.

The rapidity with which the Federal judiciary is being increased and the rapidity with which the business of the Houses of Congress is being increased changes the nature of this question from a more or less academic one to a very practical one which calls for immediate consideration.

There is nothing more interesting to the student of the development of our system of government than an examination of that power and the place which impeachment holds in the scheme of our Government.

Originally, impeachment was a criminal trial. Those who have examined the development of this power and this procedure tell us that it began in the fourteenth century, but a more careful examination of the history of our system of government discloses that it has always obtained. When the Anglo-Saxon system was tribal the power rested with the people to remove their public officials and to punish them. As the tribal governments were blended into principalities and principalities into petty kingdoms and petty kingdoms into larger governmental organizations, the direct control of the people over their public officials, of course, was lessened. The power became vested in the king and his councilors, with the deeper power of revolution, of course.

It would be interesting, but perhaps not profitable, to trace in detail the development of this extraordinary power, or rather of the agency through which it is exercised. Sufficient to say that by the fourteenth century the distinctive characteristics of the

impeachment procedure had developed. Two hundred years ago the identical procedure now had in the Senate had developed. There is a slight difference, but not important enough to make a modification of that statement necessary. The House of Commons appeared even then before the House of Lords by managers. Then it was a real, criminal trial, with the power over property, liberty, and life. One judgment I recall confiscated the property, tortured the person convicted, hanged him, beheaded him, and quartered him—otherwise they did not do anything to him at all.

When we came to write the impeachment provisions of our Constitution we deprived the Senate of all power to punish for crime, but we retained in practice the identical procedure which obtained under the English system where the House of Lords had the power to convict and execute.

Mr. STEVENSON. Will the gentleman answer a question?

Mr. SUMNERS of Texas. I am sorry, but I can not yield now. I will yield as soon as I get through my statement. I stand by my statement, if that is the point.

Under our Constitution, judgment is limited to removal from office with the possibility of a judgment in bar; in other words, it is the recapture clause in our Constitution dealing with powers delegated to public officials. It is an ouster proceeding, and that is all, with the possibility of a judgment in bar.

Really, Members of the House, if a modern Dickens should come on the scene and witness the managers of the House coming to the bar of the Senate, when the question involved is whether a district judge ought to continue in office, and with the tremendous responsibility of the Government of this Nation resting upon the Senate of the United States, and see that entire Senate of 96 Members suspending all their legislative and other duties to devote themselves exclusively for weeks to hearing all the evidence from the lips of witnesses in order to determine whether or not a district judge ought to be ousted; I say, if a modern Dickens should come on the scene and witness that, he could write a book that would make the world laugh longer and louder than Dickens made the world laugh as he portrayed the ridiculous procedure in the courts of chancery of England.

I have introduced a resolution, which has been pending before the Rules Committee for a year, to have the House appoint a committee of three and the Senate appoint a committee of three to constitute a joint committee to study this question and to ascertain if it is not possible to improve this method of procedure with regard to impeachment, and I hope the ladies and gentlemen of the House will bring to bear whatever persuasive influence they can upon the gentlemen who sit up there in the Rules Committee and make it possible for us now to study this question and report if this ridiculous procedure may not be improved.

I now yield for any questions that Members may want to propound.

Mr. BANKHEAD. If my friend will pardon me, in connection with the statement just made with reference to the attitude of the Rules Committee, I think I violate no confidence when I say that some objection was made to consideration of the gentleman's resolution upon the theory that the Committee on the Judiciary itself might appoint a subcommittee to study the question. The gentleman from Texas, when he was before the committee a few days ago, submitted a cogent reason why that would not meet the situation, and I wish the gentleman would restate it to the House.

Mr. SUMNERS of Texas. The reason that procedure, it seems to me, would not be the procedure suggested by the situation is this: The Judiciary Committee of the House has no general jurisdiction of the subject of impeachment. It is true that these matters, by reference, usually terminate with the Judiciary Committee of the House. This provision in our Constitution, of course, came indirectly from the procedure of Parliament. When the matter was considered in the Constitutional Convention there were a good many notions as to where the power ought to be placed. Finally, as occurred in most of the matters in controversy, it was settled by lifting some of the provisions of a State constitution already written. In this case we took the main part of our impeachment provision from the constitution of Massachusetts, and a very brief part of it from the constitution of New York. It is the power of the Government to rid itself of an official whose conduct demonstrates that he is unworthy to be an officer of the Government. The Judiciary Committee has no general jurisdiction which would warrant it in assuming responsibility.

Whatever committee is created ought to be created as the agent of the House. I think it would be a presumptuous thing for the Judiciary Committee to meet and select three of its members and undertake this responsibility. As a matter of fact, the major part of the procedure is in the Senate. The

trial is there. There is not much difficulty with what happens in the House.

Aside from the possibility that a study might disclose that something should be done further to control the exercise of the powers which are exercised in the House, the whole problem lies in the Senate. This power must be cautiously used. Power is lost in two ways; one is the nonuse and the other the abusive exercise of power.

In the main, as I have stated, the procedure is in the Senate. I do not want to anticipate what I think could be done, but I make this suggestion. I am sure that since this is an ouster suit the first thing to be done would be to determine in principle whether it is a civil or criminal procedure. When the committee comes to consider that question it is bound to determine that it is a civil procedure, because it is an ouster suit in its major aspect.

Having determined that, I see no reason why we could not abandon the present custom of bringing every witness in person before the Senate, there to testify to every fact in the case. The more important witnesses, perhaps, ought always to be called before the whole Senate; about that, however, I express no fixed opinion, but certainly committees and depositions could be used to a large extent.

When we had under consideration a comparatively recent case from Illinois I was one of the managers, and in the check-up we decided that under existing practice we would have to bring at least 100 people from southern Illinois to Washington at the inconvenience of the citizens, expense to the Government, and have them each testify before the whole Senate, in order to comply with the provisions of the Constitution to the effect that the defendant is entitled to be confronted with the witness, just as though we were trying a criminal case, and notwithstanding the fact that our Constitution declares that whatever trial for crimes committed is to be had must be in the ordinary courts in the ordinary way.

As I said a moment ago we have this anomalous situation, growing out of the fact that when we incorporated the impeachment power into our Constitution we stripped it of every aspect of a criminal case and yet in our practice have preserved the criminal procedure.

That is not the only instance in which such a thing as that occurs. The truth of it is, we make a mistake—even the Supreme Court seems to make it—in assuming that the men who sat in the Constitutional Convention fully comprehended the Constitution which was assembled. They did not create it. For 1,700 years within historical times it had been in process of creation.

Mr. MOORE of Virginia. Will the gentleman yield?

Mr. SUMNERS of Texas. I yield to the gentleman.

Mr. MOORE of Virginia. I did not understand the gentleman to state the character of the measure which he proposes to ask the Committee on Rules to report upon.

Mr. SUMNERS of Texas. I ask merely for a rule to make it possible for the House to consider a concurrent resolution for the appointment of three Members of the House and three Members of the Senate to study the procedure in impeachments and ascertain if a better method might not be worked out, and to report their conclusions to the House and to the Senate.

Mr. MOORE of Virginia. I was wondering why the very able and powerful Judiciary Committee of the House could not take that up and study the question and reach a conclusion.

Mr. SUMNERS of Texas. I have studied the question. I suggest to my friend from Virginia [Mr. Moore], who has had experience, that I have been sitting almost at the door of the Committee on Rules for a year even to get a hearing on this rule. I am willing to do this work, but I am not willing to go over to the Senate merely as the agent of a committee of the House and try to get them to cooperate. If I go over there, I want to go with the prestige and support of the registered judgment of the House of Representatives that this ought to be done. That is what I want. If it is a thing that ought to be done, why can not the House consider it?

The Committee on the Judiciary has no authority with reference to it. It is not its business. The Judiciary Committee is the creature of the House; and I want this committee of the House Members, if it is created, to be the creature of the House, and have this matter presented to the Senate in the regular and orderly way—as a resolution coming from the House presents itself, not to a committee of the Senate, but to the Senate itself. I hope at least that the gentlemen of the Committee on Rules will let this resolution come to the floor of the House and make it possible to have this committee created, make it possible for this study to be made, at a time when there is no impeachment pending. That is the time to study this question, when we can do it deliberately, and not while an impeachment proceeding is pending.

Mr. SABATH. Mr. Speaker, will the gentleman yield?

Mr. SUMNERS of Texas. Yes.

Mr. SABATH. I am satisfied that the gentleman has devoted a great deal of thought and study to the proposition and that he has formulated a plan. Could he not introduce a resolution amending the practice, instead of asking for this committee to be appointed? I know the House would have just as much confidence in the resolution or bill that he would prepare and submit to the House as it would have in any recommendation of the committee that would be appointed.

Mr. SUMNERS of Texas. I appreciate very much the compliment of the gentleman from Illinois, but the difficulty is that most of this procedure is in the Senate. The difficulty lies in the major part beyond the jurisdiction of the House. Do I make myself clear?

Mr. SABATH. Yes.

Mr. SUMNERS of Texas. I see no other way to reach it than that which I have indicated.

Mr. SABATH. I am of opinion that if the House passes the gentleman's resolution and it reaches the Senate, it would receive that consideration which bills and resolutions passed by this House which reach the Senate usually receive.

Mr. SUMNERS of Texas. As I stated a moment ago, this power of impeachment and the several responsibilities of the House and the Senate in regard to impeachment are not joint responsibilities except in a limited and qualified sense. The House is a complete entity clothed with a distinct nonlegislative responsibility and the Senate is a complete entity clothed with a distinct nonlegislative responsibility. When they come to deal with the power of impeachment they do not deal with it as a matter that belongs to Congress. The House and the Senate do not act as constituent elements of the Congress. In other words, if we resolve in the House with regard to procedure in the House in impeachment matters, that resolution would never reach the Senate, because it is a matter with regard to which the Senate has no jurisdiction whatever. On the other hand, if the Senate resolves with regard to procedure of the Senate, that resolution would never reach the House. This is not as a bill, and the only thing with regard to which the House and Senate could properly concur would be with regard to the creation of this committee. Even the term "concurrent resolution" is a misnomer, because the Senate can not concur in any authoritative sense in what is done in the House as to this matter. What I have in mind is that Representatives of the House and Representatives of the Senate should get together and talk over this whole question of procedure so that the Representatives of the House may come back to their Chamber and make a report to the House as to what has been agreed the House ought to do to improve procedure, and the Representatives of the Senate could go back to the Senate and report to the Senate what is the judgment as to what the Senate should do to improve procedure. This is not a legislative procedure, in any sense, which I am suggesting.

Mr. DENISON. Mr. Speaker, will the gentleman yield?

Mr. SUMNERS of Texas. Yes.

Mr. DENISON. In theory, at least, the House in impeachment proceedings acts as a grand jury and returns an indictment and the Senate acts as a jury and tries the case. Has the gentleman in his research found any justification for that procedure? Did the procedure for impeachment antedate the development of the grand-jury system or vice versa?

Mr. SUMNERS of Texas. There does not seem to have been any relationship between the development of the procedure with reference to impeachment and the development of the procedure such as the gentleman has indicated, except, of course, that having originated among the same people naturally there was some parallel in the line of development.

Mr. STEVENSON. Mr. Speaker, will the gentleman yield?

Mr. SUMNERS of Texas. Yes.

Mr. STEVENSON. The question I desired to ask a while ago was this. The gentleman spoke of the power of impeachment and condemnation and confiscation of property. Was not the confiscation of property the result of a bill of attainder? The impeachment and bill of attainder were two separate things, and when they came to establish our Constitution it prohibited all bills of attainder. That was the clause of the Constitution which cut off the forfeiture of property and probably the capital punishment that grew out of that.

Mr. SUMNERS of Texas. Both the procedure in impeachment and attainder were used as agencies for the forfeiture of estates. The fact is that during a good many years the same sort of thing was accomplished under each of the procedures. As a matter of fact, between the Cromwell revolution and our Declaration of Independence there were very few impeachments. The Hastings impeachment was pending when we were writing our Federal Constitution, and Burke, in his argument in the

Warren Hastings case, made the most comprehensive analytical and philosophical statement of the place that impeachment holds in governments of our sort that has ever been made, in my judgment. It is as follows:

If little offenses, from their minuteness, escape you, and the greatest, from their magnitude, oppress you, it is impossible that this form of trial should not in the end vanish out of the constitution. For we must not deceive ourselves; whatever does not stand with credit can not stand long. And, if the constitution should be deprived, I do not mean in form but virtually, of this resource, it is virtually deprived of everything else that is valuable in it. For this process is the cement which binds the whole together; this is the individuating principle that makes England what England is. In this court it is that no subject in no part of the Empire can fall of competent and proportionable justice; here it is that we provide for that which is the substantial excellence of our constitution; I mean the great circulation of responsibility by which (excepting the Supreme Power) no man, in no circumstances, can escape the account which he owes the laws of his country. It is by this process that magistracy, which tries and controls all other things, is itself tried and controlled. Other constitutions are satisfied with making good subjects; this is a security for good governors. It is by this tribunal that statesmen who abuse their power are accused by statesmen and tried by statesmen, not upon the niceties of a narrow jurisprudence, but upon the enlarged and solid principles of state morality. It is here that those who by the abuse of power have violated the spirit of law can never hope for protection from any of its forms; it is here that those who have refused to conform themselves to its perfections can never hope to escape through any of its defects.

It ought, therefore, my lords, to become our common care to guard this, your precious deposit, rare in its use, but powerful in its effect, with a religious vigilance, and never to suffer it to be either discredited or antiquated. For this great end your lordships are invested with great and plenary powers; but you do not suspend, you do not supersede, you do not annihilate, any subordinate jurisdiction; on the contrary, you are auxiliary and supplemental to them all.

I shall not take any further time of the House. I appreciate very much your consideration. I always feel complimented when I can get up in a conversational sort of way and talk to my colleagues of the House and hold their interest and attention. I appreciate very much having had that sort of attention in this connection. [Applause.]

WORLD WAR VETERANS' LEGISLATION

Mr. JOHNSON of South Dakota. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 10381 to amend the World War veterans' act, 1924, as amended.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 10381, with Mr. MAPES in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 10381, which the Clerk will report by title.

The Clerk read as follows:

A bill (H. R. 10381) to amend the World War veterans' act, 1924, as amended.

Mr. JOHNSON of South Dakota. Mr. Chairman, I would like to know how much time we have on general debate?

The CHAIRMAN. The gentleman from South Dakota has 2 hours and 11 minutes. The gentleman from Mississippi has 3 hours and 19 minutes.

Mr. JOHNSON of South Dakota. Will the gentleman from Texas use some of this time?

Mr. PATMAN. Yes. Mr. Chairman, I will yield myself 20 minutes.

The CHAIRMAN. The gentleman from Texas is recognized for 20 minutes.

Mr. PATMAN. Mr. Chairman and ladies and gentlemen of the committee, in the beginning I will briefly outline the situation which confronted the World War Veterans' Legislation Committee in arriving at the making of the bill now before the House for consideration. At first I believe the gentleman from Mississippi [Mr. RANKIN] introduced the bill last December which had for its object and purpose the liberalizing of the World War veterans' act of 1924, and on January 7, 1930, I think it was, the distinguished chairman of our committee, the gentleman from South Dakota [Mr. JOHNSON], introduced two bills, one to carry out the wishes of the organization known as the Disabled Veterans and the other to carry out the wishes of the American Legion.

Hearings were held on the Rankin bill, and after the hearings were held on the Rankin bill the two bills introduced by

the gentleman from South Dakota were taken up and hearings were held on those two bills. After the hearings the Democratic members were excluded and the majority members of the committee got together and decided on what is now known as the Johnson bill, now before the House for consideration.

If I were permitted to write a bill for the purpose of liberalizing the terms of the World War veterans' act of 1924, but restricted and limited by the requirement to show service-connected disability, I could not devise a better bill than the one now before the House, the Johnson bill. It goes just as far as possible for a bill to go without being a pension bill.

But let us not be confused into believing that this is a pension measure. Although we are writing legislation into the World War veterans' act which will considerably liberalize the terms of that original act, if liberally construed, still it will be necessary for the veteran who applies for relief to show that his disability is connected with his military service in the World War. We are under the terms of this bill providing a way whereby it is possible for 175,000 additional veterans to get relief. I hope it will go as far as is claimed. Yet if they have to go through the mass of red tape that may be required for them to go through, it must be said that a comparatively few thousand will secure relief. I will say now candidly that it will be possible under the terms of this bill for not many thousands to get relief. The Veterans' Bureau can make the requirements, limitations, and restrictions so strict and rigid that the veterans could not make the required proof.

Mr. PERKINS. Mr. Chairman, will the gentleman yield there?

Mr. PATMAN. Yes.

Mr. PERKINS. Is it not true that under the terms of the Johnson bill every disability of 10 per cent up to the year 1925 will be service connected?

Mr. PATMAN. That is true; and that is just as far as it is possible to carry the legislation, if it must be service connected. You are adopting a policy here that the proof must be service connected, but change the burden of proof and put the burden of proof on the Government, which will be easy for the Government to rebut in many deserving cases if the Veterans' Bureau is as diligent in trying to rebut these cases as it has been in the presumptive cases up to 1925.

Mr. PERKINS. Mr. Chairman, will the gentleman yield again?

Mr. PATMAN. Yes.

Mr. PERKINS. The Johnson bill will practically take care of 170,000 service cases; in fact, all of the border-line cases.

Mr. PATMAN. I will admit that the Johnson bill is as good a bill as could be written up to 1925 with service connection required.

Mr. JOHNSON of South Dakota. Mr. Chairman, will the gentleman yield there?

Mr. PATMAN. Yes.

Mr. JOHNSON of South Dakota. You will find in the Rankin bill this provision:

But in all cases such presumption shall be rebutted by clear and convincing evidence.

So that the two bills are exactly the same in that respect.

Mr. PATMAN. That is so. I would like to give my support to the Rankin bill. I would like to see the Rankin bill superimposed on the Johnson bill after 1925, but I believe the Johnson bill is better than the Rankin bill up to 1925. I think it is the best basis we can build this legislation on, but it does not go far enough. Up to 1925 it will not include more than 23,205 mental and nervous cases.

Mr. JOHNSON of South Dakota. The gentleman from Texas [Mr. PATMAN] mentioned tuberculosis cases and prayed for sympathy for them. The gentleman and I are both on the committee, and I know we have sympathy for them. Is it not true that already four laws have been passed which prefer tuberculosis cases above any other class of cases?

Mr. PATMAN. I think that is true, yes; if you want to refer to them as preferences.

Mr. JOHNSON of South Dakota. In the gentleman's opinion, is it possible that the Government can afford to pay men who have been afflicted with different diseases up to the present time a pension of \$225 or \$250 a month? That is, pension and hospitalization? Can the Government afford to pay that?

Mr. PATMAN. The gentleman from South Dakota [Mr. JOHNSON] is speaking of exceptional cases. We should not make the exception a general rule, and we should not attempt to pass legislation based upon exceptions. We should pass legislation based upon the average case; the distinguished chairman of the committee certainly would not contend that would be the average case. The primary consideration is the need of the veterans.

Mr. JOHNSON of South Dakota. It would be of all hospitalization cases.

Mr. PATMAN. After all, he does not get \$120 a month for hospitalization. It is true the Government pays out that much money, but the veteran only gets \$80.

Mr. JOHNSON of South Dakota. The veteran gets \$80, plus allowances.

Mr. PATMAN. He gets \$80, plus allowances. Knowing the gentleman from South Dakota as I do, I know that he would not think of taking that amount away from the veterans in such a case. He has a wife and children to support. I know the gentleman from South Dakota would not deprive that soldier of the \$80 and allowances.

Mr. JOHNSON of South Dakota. Certainly not; but the Government, in my judgment, can not, in perpetuity, pay this great body of service men, numbering 4,250,000, compensation and hospitalization which, in practically every case, will result in a payment by the Government to that service man for a certain period of \$225 to \$250 a month, because that would bankrupt the Government.

Mr. PATMAN. But the gentleman from South Dakota must remember that, for every dollar paid out in compensation, whether it is called a pension or compensation, there is a saving of \$2 or \$3 in hospitalization. Under the terms of the bill, a tubercular patient or a neuropsychiatric patient who can not show service connection before 1925 has every incentive in the world to go to a hospital. If he goes to a hospital and remains 30 days, which he will, on the thirty-first day he can make an affidavit that his total income, exclusive of all pensions and compensation from the Government, is less than \$1,000, and his family will receive compensation during his confinement and for two months after he gets out of the hospital. That creates an incentive for that class of men to go to the hospital. In other words, it is coaxing them into the hospitals of the country; whereas if they are paid a small pension of \$50 a month, it would save \$120 a month in hospitalization as well as the allowance to their families.

Mr. DENISON. Will the gentleman yield?

Mr. PATMAN. I yield to the gentleman.

Mr. DENISON. Does the gentleman from Texas [Mr. PATMAN] not think that that feature should commend it? Should not a man with tuberculosis go to a hospital?

Mr. PATMAN. Yes; he should. If it is impossible for him to receive proper treatment at home.

Mr. DENISON. Then the feature of which the gentleman is speaking should commend the bill.

Mr. PATMAN. At the same time the gentleman from Illinois [Mr. DENISON] is speaking from the standpoint of the public health?

Mr. DENISON. From every standpoint, from the standpoint of the veteran himself, his family, and the public health. Since we take care of his family with a good pension the man should go to the hospital.

Mr. PATMAN. And from the standpoint of the public health it is promoting the general welfare, and if that is done the Government should pay for the expense. The Government should pay a man compensation just as has been done for disabilities prior to 1925.

Mr. PERKINS. Will the gentleman yield?

Mr. PATMAN. I yield.

Mr. PERKINS. At the present time we are paying pensions to Civil War veterans, to veterans of the Spanish-American War, and we are paying compensation to World War veterans. Does the gentleman not think that the time has arrived when Congress or a committee of Congress should make a study of the treatment of service men and have one general rule applying to all ex-service men?

Mr. PATMAN. I agree with the gentleman from New Jersey [Mr. PERKINS]. I think that policy should be adopted, and for that reason I am in favor of this limitation of three years in the present bill. This bill is not a permanent policy. As I understand, it will expire in three years; and we anticipate that during this time the committee of which the gentleman from New Jersey [Mr. PERKINS] speaks will have met and will have agreed upon some form of legislation that is just and reasonable for veterans of all wars, and will have submitted that to Congress and the Congress will have adopted it and we will have a permanent pension system for the veterans of all wars. For that reason I am heartily in favor of this provision of three years.

Before I go further into the presumptive clause I would like to say a few words about the support and assistance rendered to the committee by different individuals.

The distinguished chairman of our committee [Mr. JOHNSON] is to be congratulated for his sponsorship of this measure. The

gentleman, I believe, has the interest of the ex-service men at heart. The gentleman is going to do his very best for the men with whom he served during the World War. This is a much more liberal piece of legislation than I ever expected to come from the committee.

On the other hand, there is another gentleman, the ranking Democratic member [Mr. RANKIN], who has been very courageous in this fight. The gentleman has spent a lot of time and has worked very hard to try to have the World War veterans' act liberalized for the benefit of the veterans of the World War.

I believe the ex-service men of the country owe the gentleman from Mississippi [Mr. RANKIN] a debt of gratitude for the work he has done.

I do not say this for the purpose of detracting from the assistance rendered by other members of the committee nor the assistance rendered by representatives of service organizations. I do not believe it would be possible for the American Legion, if they should search the entire United States, to find a better man to represent the wishes of the veterans of the World War than Mr. Watson B. Miller.

I do not believe it would be possible for the Disabled American Veterans, if they should search the entire United States, to find a better man to represent the wishes of that organization and the American people than Tom Kirby. I do not believe it would be possible for the Veterans of Foreign Wars, if they should search the entire 48 States of the United States and the District of Columbia, to find a better man to represent that organization and to carry out its wishes and promote the general welfare than Mr. Bettelheim. All of these gentlemen appeared before our committee and rendered such assistance as was possible for them to render, and without their assistance I am sure this bill would not have been nearly as satisfactory as it is written to-day and as sponsored by the chairman of the committee, Mr. JOHNSON.

With reference to the presumptive clause, the burden of proof, take, for instance, such a case as a man coming to the Veterans' Bureau in 1931 claiming disability on account of asthma. Under the provisions of the Johnson measure the Veterans' Bureau will say to the applicant, "If you can show that your disability was connected with the service before 1925, it is presumed that your disability is connected with the service. Can you show that?" He shows them that in 1924 he was examined by the very best physicians in the country and he has their affidavits to show that he was suffering from asthma in 1924, but the Veterans' Bureau can turn to their files and say, "Yes, Mr. Jones, it is true you were examined in 1924; you were suffering from asthma, but we have a record of where you applied for compensation in 1922 and you were examined by the bureau doctors at that time, and the bureau doctors probably examined you for another disability, but there is nothing to indicate that you were suffering from asthma or had any symptoms of asthma. Therefore under the act passed by Congress the bureau has rebutted your testimony by clear and convincing evidence and your claim must be refused."

Mr. ABERNETHY. Will the gentleman yield?

Mr. PATMAN. I yield.

Mr. ABERNETHY. I have had a great deal of experience with the Veterans' Bureau. They require medical testimony. I remember one case which I fought for about five years. Finally, after the man died, his insurance was allowed. The man lived in the country away from a doctor, but the Veterans' Bureau at that time would not consider lay testimony. It had to be medical testimony. Is there anything in the present bill that cures that feature in any way?

Mr. PATMAN. Yes; it is supposed to cure it; but, I will say frankly, I do not see where it will be any command to the Veterans' Bureau to carry out any particular policy of Congress. The law simply says that the Veterans' Bureau, in passing upon these claims, shall give due regard to lay affidavits. But, of course, that is very broad in its scope. The bureau could make such requirements as to lay affidavits, if it desired to do so, that this would not help matters the least bit in the world.

Further, with reference to connecting these cases. If the Johnson bill passes without extending the presumptive period to 1930 or without superimposing the Rankin bill on the Johnson bill from 1925 to 1930 or putting any amendment on the bill, you are going to leave out a class of cases that is really responsible for the enactment of this legislation. The cases we have heard so much about are the neuropsychiatric cases and the tuberculosis cases—the most pitiful cases of them all. I will not say they are more pitiful but they are just as pitiful as any could be. You will leave them out in the cold if you pass the Johnson bill as it is now.

There are 23,205 neuropsychiatric cases broken down since 1925. They have possibly been carrying on; they had good jobs; they were getting good salaries; and they were anxious to live

with their families. So they went ahead until after 1925, when they began to break down. If the Johnson bill passes as it is, these 23,205 cases will not get one penny of compensation. The only way in the world they can help their families is by going to a hospital and remaining there for more than 30 days. Then if they can make an affidavit that their incomes are less than \$1,000 a year their families can get a little support in that way. There are tubercular cases to the number of 18,986. If this bill passes like it is, it will leave those 18,986 cases out in the cold, so to speak. They will not receive one penny of compensation and they will not receive any benefits from the provisions of this law except that possibly they can go to a hospital, remain there for more than 30 days, and then make an affidavit that they have an income of less than \$1,000 a year, and then their families can receive a small sum in support. That is the only way on earth they can help their families, namely, by going to a Government hospital and staying there more than 30 days.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. PATMAN. Mr. Chairman, being in charge of the time on the Democratic side at this time, I yield myself 10 additional minutes.

Mr. PERKINS. Will the gentleman yield?

Mr. PATMAN. Yes.

Mr. PERKINS. In further answer to the inquiry made by the gentleman from North Carolina, I would refer him to section 1 of the bill, which provides that the regulations relating to the nature and extent of the proofs and evidence shall provide that due regard shall be given to lay evidence and to other evidence not of a medical nature. I do not know how you can make it any broader.

Mr. PATMAN. I can not yield for a statement. I do not expect to use more than 30 minutes, and these interruptions are taking too much of my time. In reply to the gentleman from New Jersey, I will ask him, What does "due regard" mean? That is up to the bureau to say, is it not? They can make such rules as they want to make about due regard. The term can be construed to be meaningless.

Mr. CONNERY. Will the gentleman yield?

Mr. PATMAN. Yes.

Mr. CONNERY. I did not hear the whole of the gentleman's statement, but is the gentleman in favor of the amendment which I am going to propose to bring the Johnson bill up to 1930?

Mr. PATMAN. Well, I will favor any amendment which will liberalize this legislation. I am in favor of the Johnson bill like it is up to 1925, and I am in favor of building it up as far as 1930 just as much as I can. Then, however, I do not believe it will include as many cases up to 1930 as it is represented it will include.

Mr. DUNBAR. Will the gentleman yield?

Mr. PATMAN. Yes.

Mr. DUNBAR. Under the provision read by the gentleman from New Jersey, would not anyone who has a neuropsychiatric case or a tuberculous case in 1925 or the year previous thereto be able to prove his case without going to a hospital?

Mr. PATMAN. Well, suppose he were to come into the bureau to submit his proof? The gentleman means a tuberculosis case?

Mr. DUNBAR. Yes.

Mr. PATMAN. Of course, I presume the gentleman has received many replies from the bureau stating that although the examination showed that the one applying for compensation had tuberculosis at this time they found there was an examination made back in 1921 or 1922, when the applicant was in perfect health, and no signs of tuberculosis appeared. Therefore that is clear and convincing proof his disability is not connected with his service, and the claim is disallowed.

Mr. DUNBAR. As I understood the provision just read by the gentleman from New Jersey, a tuberculosis case would be presumed to be service connected if in 1924 he were able to prove he had tuberculosis.

Mr. PATMAN. Or 1925.

Mr. DUNBAR. Nineteen hundred and twenty-four.

Mr. PATMAN. In 1925 under the Johnson bill.

Mr. DUNBAR. Then under the Johnson bill a man who had tuberculosis in 1924 can receive compensation?

Mr. PATMAN. Absolutely. Service presumption of tuberculosis, spinal meningitis, paresis, permanently helpless cases, and bedridden cases are not rebuttable.

Mr. BRIGGS. Will the gentleman yield?

Mr. PATMAN. Yes.

Mr. BRIGGS. I want to ask the gentleman if it is not true that neuropsychiatric cases are more on the increase than any others?

Mr. PATMAN. I think heart diseases are more on the increase now than any other disability. I have the information

here some place, and I believe heart diseases are more on the increase; in fact, they have doubled the tuberculosis cases.

Mr. BRIGGS. And the neuropsychiatric cases, which make up one of the largest elements of increase, are expressed in terms of insanity and dementia præcox, and these men, for instance, after the 1st of January, 1925, who become afflicted with insanity, will have no means of establishing their cases with their own testimony.

Mr. PATMAN. That is very true. I shall not yield to anyone else at this time. I want to tell you something about how difficult it is for a soldier to connect his case with the service under the present law. All of you have had experience in attempting to do that and possibly much more experience than I have had, although I have tried to help the soldiers ever since this law was passed. We will take a soldier who gets affidavits from his physician who has examined him ever since he has been out of the service. This physician makes an affidavit which shows clearly and convincingly that the soldier is afflicted with tuberculosis or any other disease. Well, what does the bureau do? And if the bureau is just one-half as diligent in the future, if this bill is passed, as it has been in the past, it is going to rebut about two-thirds of those cases. They will send an agent down to see the doctor who made the affidavit. The agent will say, "You made an affidavit and I want to see your book." He asks to see the book in which the doctor made a notation at the time showing he made such an examination. Well, maybe the doctor says he did not keep any books. Then the agent of the bureau says, "We can not take that. You have no record that is clear and convincing proof and which backs up what you have said. We can not give weight to your statement." Although the doctor is telling the truth and can corroborate his statement by other facts, his affidavit is not given consideration because he has not kept the proper books showing the examination of the veteran.

I know of one case where the doctor had a record, but it was a loose-leaf or a card-index system. He was a railroad doctor and he used the card-index system, and the bureau's agent even criticized that and said it was a loose-leaf system, was not recorded in a bound book, and therefore intimated that it should not be given the credence and should not be accepted with the same reliance as if he had put it in a book that was not a loose-leaf or card system, or one that could not be detached. We know there are proper tests to be made to determine accurately whether a patient has tuberculosis, but a doctor, probably not getting a fee for his services, but is doing the work as a matter of accommodation, and, consequently, he is not going to the trouble and the expense of making a sputum test or sending the sputum to be tested in some hospital in a distant city, and then pay the bill himself for the purpose of aiding the soldier.

It is not expected of the doctor. Although the medical profession has been very considerate of the wants and needs of ex-service men, doctors can not be expected to do everything that the bureau claims they should have done. Consequently, the soldiers' records are incomplete. These cases, my friends, are the border-line cases. They are the cases of patients who are afflicted with tuberculosis, and they are service-connected cases if the proof could be found or if true records had been properly kept, but they have not been so kept and therefore they can not connect their disabilities with the service.

Mr. COCHRAN of Missouri. Will the gentleman yield?

Mr. PATMAN. I yield to the gentleman from Missouri.

Mr. COCHRAN of Missouri. Is it not a fact that practically all the men who will benefit under the Rankin bill have already filed a claim for compensation and the claim has been denied?

Mr. PATMAN. I do not want to discuss that phase of the matter just now.

Mr. COCHRAN of Missouri. I am making that statement in order to lead up to the question I have in mind. The bureau will be in a position to use the evidence now in the files in order to rebut the claim of the soldier when he files his claim if the Johnson bill or the Rankin bill becomes the law.

Mr. PATMAN. I am glad the gentleman has suggested that, and I thank him for his contribution.

There should be some amendment to the bill providing that the record heretofore made against any soldier should not be used against him when he seeks benefits under this law. If you do not do this, you are going to destroy the purpose of the legislation.

There is one way you can place the poor and the unfortunate on a parity with the rich and the well informed, and that is to give each of them the benefit of the same kind of counsel or counsel of equal ability. Congress has denied the poor and uninformed soldiers of this country a chance to be placed on a parity with the influential and those who are informed about the

law by refusing them the right to employ counsel, except for an insignificant fee. A poor, uninformed soldier goes into a lawyer's office with a large bundle of papers under his arm relating to his case. Do you think that lawyer is going to take the case and the interest in his case that he would take if he were permitted to charge a reasonable fee? He can not pay the lawyer more than a \$10 fee. Although the lawyers have been very good to ex-service men they can not be expected to give the same care and attention to a case without a fee as they would give for a reasonable fee. To properly work up many of these cases a lawyer is required to spend considerable money for traveling expenses, and other purposes. I know of cases where lawyers spent several times the \$10 allowed in actual expenses helping the soldiers. Many lawyers render their very valuable and faithful services without charge. The veterans in many instances have not had the services of skilled help in preparing their papers for submission to the Veterans' Bureau. Mistakes and errors have crept in the files and are now being held against the interest of the veterans, and causing them to be denied compensation. If you are now going to use that poorly prepared and loosely drawn evidence against these soldiers you are going to destroy the benefits of this legislation.

Mr. CONNERY. Will the gentleman yield?

Mr. PATMAN. I yield to the gentleman.

Mr. CONNERY. Along the lines of what the gentleman was saying a moment ago, was it not brought out at the hearings that even under the present law in cases of active tuberculosis the country physicians have not the facilities or the instruments to make the sputum tests which are required by the bureau to prove active tuberculosis?

Mr. PATMAN. That is absolutely correct.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. RANKIN. Mr. Chairman, I yield the gentleman five more minutes.

Mr. BRAND of Georgia. Will the gentleman yield?

Mr. PATMAN. I yield.

Mr. BRAND of Georgia. I want to ask the gentleman a question that is perhaps not very material to the issue here, but why does the gentleman say that if the soldier goes to a lawyer to have him prepare his case he does not take any interest in it?

Mr. PATMAN. I do not say he does not take any interest in it.

Mr. BRAND of Georgia. That is what I understood the gentleman to say, and I regard the statement a reflection on the bar.

Mr. PATMAN. Oh, no. I am a member of the bar myself. And besides I do not care to reflect on the bar.

Mr. BRAND of Georgia. The gentleman made that statement just now.

Mr. PATMAN. I did not intend to make the statement that a lawyer would not take any interest. I said probably he would not take the interest he would take if he were getting a reasonable fee, and I believe the gentleman will agree with what I have said.

Mr. BRAND of Georgia. I do not agree with the gentleman and I am glad the gentleman has modified what I understand was his statement.

Mr. RUTHERFORD. Will the gentleman yield?

Mr. PATMAN. Yes.

Mr. RUTHERFORD. Will the gentleman tell me what percentage of the 18,000 tuberculosis patients have been drawing compensation under the statutory award, that under the decision of the Comptroller General have had their service connection broken because activity had not been shown?

Mr. PATMAN. There are others here better informed on that question, I will say to the gentleman from Georgia, than I am and I would rather they would speak on that. I do not have the accurate figures before me.

There is one other proposition I want to mention before concluding.

The medical records were not properly kept, at least they were not sufficiently kept during the period of the national emergency and there are 15,000,000 pieces of paper, as explained to you by our distinguished chairman the other day, scattered all over the United States in different hospitals, and if this legislation passes all this evidence will be brought together here in Washington and compiled for the purpose of assisting veterans who have been clamoring for relief ever since they were discharged from the service. It has been reported that they did not have a medical record of any kind in the Army or that there was no notation made with reference to certain disabilities suffered by them when, in truth and in fact, the notations were properly made, but the records and the documents and papers, including such information, have not been sent to Washington and com-

plied or arranged alphabetically so it could be properly used and the information promptly given.

I thank the members of the committee for their good attention. [Applause.]

Mr. PERKINS. Mr. Chairman, I yield 15 minutes to the gentleman from Iowa [Mr. CAMPBELL].

Mr. CAMPBELL of Iowa. Mr. Chairman, ladies and gentlemen of the House, to-day I stand between two fires. On one side is what I would like to do; on the other side is what I ought to do. We realize that this Government of ours, through its respective Congresses, have been exceptionally liberal to the ex-service men of the World War. This has been due not only to the hearts of our people but also our national finance.

It has been argued here on the floor of this House that it was long after the Civil War before pensions were granted to the Federal veterans of that war, and that it was long after the Spanish-American War before the veterans of that war received their just dues. This is all true, but, Mr. Chairman, let us review for a moment the conditions of our country during those periods.

The Civil War was a war among our own people, in which millions of dollars of property was destroyed and millions of debts created. These debts were owed largely to foreign lands. The South was bankrupt and the North was badly crippled. Following the Spanish-American War our national income was around twenty to twenty-five billions. How different from the condition that we emerged from the World War.

We came out of the last war the richest nation in all the world, with the other nations owing us billions of dollars. If we were to figure by dollars and cents the real profits that came from the last engagement, we would find that those profits not only covered the years of the war but have extended to this Nation in all the years that have followed.

We of all nations were in a financial condition and in an industrial condition to immediately send out our lines of communication and get in touch with the trade of the world. Our commerce with the countries south of us has expanded by leaps and bounds. We immediately assembled our plants in mass production; our goods poured out of our ports to practically every nation in the world. Our balance of trade has brought to us from \$500,000,000 to close to \$1,000,000,000 a year. We have sent our money out in the form of loans to countries and municipalities to the amount of over \$10,000,000,000. Many have grown rich during this prosperous period, and especially has this been so in regard to the kings of industry. Millionaires and multimillionaires have grown up on every side, and, as has been stated on this floor before, 496 persons now enjoy an income of over \$1,000,000 a year. This number has grown but recently from 268 to the number before mentioned.

Mr. LUCE. Mr. Chairman, will the gentleman yield?

Mr. CAMPBELL of Iowa. Yes.

Mr. LUCE. So that I may at this moment insert the fact that up to the 30th of June, last, we had spent for the veterans \$3,899,272,291.53.

Mr. CAMPBELL of Iowa. Yes; and I think that is a wonderful thing. I am a member of the American Legion and also a member of the World War Veterans' Committee. We are proud of our country. We are proud of that fact, and I hope the gentleman will not for a minute think that I am saying that we have done nothing for the World War veterans.

Mr. PERKINS. Will the gentleman yield further at this point?

Mr. CAMPBELL of Iowa. Yes.

Mr. PERKINS. For something else to be proud about. Under present existing law, between the present time and 1940, this country is committed to expend \$6,000,000,000 more for the ex-service men of the World War.

Mr. CONNERY. And, if the gentleman will yield for something else to be proud about, so far as the \$3,877,000,000 is concerned. It is much better to be able to pay to the soldiers of the United States than it would have been to be paying it to Germany, is not that so?

Mr. CAMPBELL of Iowa. Oh, I agree with all of you gentlemen, so far as that is concerned.

The American standard of living has been raised, and the only question now is just how far we can go in taking care of the disabled soldiers.

Mr. Chairman, I have no criticism to offer to those members of the committee or the Members of the House who disagree with me. I am not to-day laying claim to a bigger heart or a more sympathetic attitude than any Member here, but I do feel that the American people are anxious and ready to aid to the fullest extent those who have offered their lives for the sake of their country.

We have done well toward those who have been able to prove service connection, but there is not a woman or man within the sound of my voice who has not had her or his trouble when it comes to prove that connection. I feel, as do many of you, that the members of the Veterans' Bureau, under the instructions as given them by General Hines, the director, could have gone further in taking in the consideration of lay evidence than they have in the past, as shown by the records.

Mr. Chairman, I approve the passage of the resolution by which a committee can be appointed to work out the injustices, and to provide for fair and honest treatment to all the soldiers. Let us stand face to face with the fact that we are shortly coming to a pension for the soldiers who suffer disabilities; in fact, the Johnson bill is but a pension in its form, but the thing that bothers me is what shall I do toward bringing relief to those who are without the pale of the Johnson bill, or rather those who have broken down in health since the year 1925.

Can I go home and face my bedridden comrade, destitute and suffering in his bed of pain? Are we to say that the lapse of time has been too short since the World War to take care of him and his beloved ones?

If it is a question of money, then, let us take the maximum amount that can be approved by the President, and let us scatter it out as far as possible.

Mr. Chairman, if two destitute men came to my door asking aid, and if in my humble dwelling I had but one loaf of bread, would I give that loaf to the one man and tell the other to go out into the world and starve? Mr. Chairman, I would do exactly as you would do. I would take my carving knife, I would cut that loaf as near as possible straight in the middle, and to each man would be given one-half of that loaf of bread.

We have before us here, the chairman says, and he perhaps is right, a certain amount of money. By his bill we are going to give the greater amount to those who are not service connected, but whose disabilities have occurred before 1925. Mr. Chairman, I am going to offer an amendment to that bill, and that amendment will read as follows:

I move to amend section 10 by striking out the figures "1925" in line 11 on page 14, and line 1 on page 15, and insert in lieu thereof the figures "1930"; and to add to said paragraph after the word "Congress" in the eighth line on page 15, the following: "And further provided, That where service connection is granted solely by virtue of this act, that the compensation to be paid shall be on a basis of 50 per cent of the compensation heretofore allowed for like disabilities."

It looks to me under the circumstances that that is the only fair way to do.

Mr. Chairman, I belong to one of the greatest organizations in this country—the American Legion. This organization, together with other organizations of its kind, has fought a wonderful fight for their disabled comrades. Iowa has produced great leaders in this movement. The heads of the organization in my home State have faithfully performed their part of the duty. Their positions have enabled them to study these veteran measures better than I. I feel that I must, in a way, at this time as a new Member of Congress, and having been but a short time in this work, be controlled by their desires.

I have received two telegrams, both from the Legion heads, as well as that of the auxiliary, in which they asked me not to jeopardize the great benefits in the Johnson bill by supporting the advancement of the date of presumptive evidence from 1925 to 1930. I know well what is in their hearts; I know that if they could feel that 1930 would not jeopardize this bill in its final enactment that they would be heartily in favor of the measure. But, Mr. Speaker, this is the middle of April; this bill is to pass the House and the Senate; it then goes to the President for his signature; if it should be vetoed I doubt if there would be any legislation of this kind which would pass this Congress and be signed by the President.

In the cases that I have the Johnson bill will cover many of them, but I shall not be satisfied until something is done for all of the destitute disabled veterans.

The other day the gentleman from Mississippi [Mr. RANKIN] told you of a pitiful case down in his own district. A case with which the chairman of the committee was familiar. I noticed at that time, when the gentleman told us of this case, tears came into his eyes. Knowing him as I do I wish to say that those tears did not come from his eyes but they came from his heart.

I have before me the record of a young man who was in perfect health when he enlisted on February 26, 1918. He was honorably discharged on June 10, 1919. While in the service he was treated for measles, scarlet fever, infection of the hip, and hospitalized as a meningitis suspect. The affidavits show he was suffering from influenza and diarrhea, although the record in the Army is silent as to these last two diseases. A

short time after leaving the Army it was found he was unable to work; he tried to farm, and at last he gave up his work, and to-day is totally disabled, living with his wife's parents in Canada.

Another case is a man in about the same condition. He filed his claim for compensation on September 4, 1924. The bureau found that he had valvular heart disease, a scar from an appendicitis operation, with adhesive complications; that he has neurocirculatory asthenia. This case, however, I take it, would be covered by the Johnson bill.

I have another case of a man who has given up his professional practice, has gone to live with a relative. He writes a very pitiful letter in which he states that he has given up all hope, and that life does not interest him. In this case claimant furnished affidavits to show that he entered the service in splendid physical condition; that when he was discharged he had evidence of tuberculosis and deafness, and that he is still suffering from that disease. Within three months after his discharge he took up his case with the authorities and they found that he had tuberculosis. He was allowed \$40 per month, although he had evidence to show that he was totally disabled. He was re-examined, and his compensation taken from him. Through my efforts he was but lately hospitalized, and his case is again pending. His nerves are shattered, is practically deaf, and evidence shows that he is still suffering from tuberculosis. I could continue along this line with numerous cases, but I know that all of you Congressmen have the same complaint, and I am not going to burden the records with like uncompensated cases.

Mr. JOHNSON of South Dakota. Does the gentleman yield for a question?

Mr. CAMPBELL of Iowa. Yes.

Mr. JOHNSON of South Dakota. Of course I am not familiar with all of the facts in the case, but I should judge that a good many of those things could be chargeable to the service, but regardless of that fact it is true that the bill before the committee would operate to take care of this young man.

Mr. CAMPBELL of Iowa. I am glad to know that under this bill that there is every chance in the world that it will take care of these poor fellows. But what are you going to do when you go back home for the fellow that has broken down since 1925?

Life looks dark to these boys. It simply means that they and their families must be taken care of either by the local American Legion, the Red Cross, or eventually to be sent to the poorhouse.

Mr. Chairman, war is a terrible thing. As Sherman said, "War is hell." When a Government assumes the responsibility, as often they must, of defending their national honor and the principles of humanity, the people of that Nation should and must pay the cost of the conflict.

I have heard many say that a great portion of these young men came out of the war strong and healthy, but, Mr. Chairman, the results of that war will never be shown in the first few years following the same. Nervous diseases, consumption, cancer, and many others which came from that service, will show themselves in years to come.

As the people of America bid the boys Godspeed as they left their homes and their firesides to go out and face death, they vowed in their souls that nothing would be too good for those that returned.

I am proud of my State; I am proud of the fact that as a member of the State Legislature of Iowa I voted for submission to the people of my State a provision providing that they should vote on a bond issue of \$22,000,000 to pay in a small way the service men who enlisted from my Commonwealth.

I am more than proud of her people who walked into the secrecy of the ballot box and there in overwhelming numbers cast their vote in favor of that bond issue. It was the first time, I believe, that the State of Iowa issued bonds; and although during those years our people were hard hit financially yet they were willing to give a share of what they had in compliance with the vows that they had made during the days when the dark clouds of war were hovering over our fair land.

The clamor of war is over. Over 10 years has elapsed, but their hearts have not hardened nor their purse strings tied.

Mr. CONNERY. Will the gentleman yield?

Mr. CAMPBELL of Iowa. Yes.

Mr. CONNERY. Do the World War veterans and the members of the American Legion fear that you would overload the bill?

Mr. CAMPBELL of Iowa. Yes.

Mr. CONNERY. That is the old saw that we have been having here about overloading the bill, and that the President of the United States will veto it. I do not believe that the Presi-

dent of the United States will veto any bill that Congress would put up to him.

Mr. CAMPBELL of Iowa. I am afraid you are wrong. I have had instructions from those whose hearts are just as big and broad as your heart, and they have worked for their comrades from the day they got out of the Army. I know those boys and I know the work they have done there.

Mr. RUTHERFORD. Mr. Chairman, will the gentleman yield?

Mr. CAMPBELL of Iowa. Yes.

Mr. RUTHERFORD. Can you tell me how many persons in your State have had the service connection broken because of the activity shown by the comptroller?

Mr. CAMPBELL of Iowa. I have not the number of cases.

Mr. BRIGHAM. Mr. Chairman, will the gentleman yield there?

Mr. CAMPBELL of Iowa. Yes.

Mr. BRIGHAM. Can the gentleman give us an estimate of what this amendment would cost?

Mr. CAMPBELL of Iowa. It would advance the time from 1925 to 1930. I do not think my amendment will cost as much as the present bill.

Mr. BRIGHAM. I hope the gentleman will insert his amendment in the Record so that we can have it before us for examination.

Mr. CAMPBELL of Iowa. I will ask the unanimous consent, Mr. Chairman, to place that amendment in the Record for the reason that I may not have drawn it correctly. I know what I expected to do, but I want every Member to know when he looks it over just exactly what it means.

Mr. OLIVER of Alabama. Mr. Chairman, will the gentleman yield there?

Mr. CAMPBELL of Iowa. Yes.

Mr. OLIVER of Alabama. There is now pending an amendment well drawn, inserted in the Record last week by the gentleman from Ohio [Mr. FITZGERALD].

Mr. CAMPBELL of Iowa. The gentleman from Ohio gives 60 per cent up to 1925, and then takes in the tubercular cases to 1930 in the full ratio.

Mr. OLIVER of Alabama. The amendment of the gentleman from Ohio is so drawn that it qualifies the presumption in favor of the veteran from 1925 to 1930 in reference to T. B. cases.

Mr. CAMPBELL of Iowa. Yes; that is the difference between his amendment and mine. I wanted to cover the whole field.

Mr. OLIVER of Alabama. The gentleman's idea is to take it up to 1930?

Mr. CAMPBELL of Iowa. Yes; I wanted to take my buddies right up to 1930.

Mr. JOHNSON of South Dakota. Mr. Chairman, will the gentleman yield?

Mr. CAMPBELL of Iowa. Certainly.

Mr. JOHNSON of South Dakota. The gentleman's idea is not to prefer one disease over another?

Mr. CAMPBELL of Iowa. That is it exactly.

Mr. JOHNSON of South Dakota. The gentleman from Iowa made the statement that the men in the higher class might in the future be brought down. In this bill (H. R. 10381) is a provision that the rates paid under this presumption are to continue for only three years. There is no vested right in them whatever. I will not vote for a pension of \$225 or \$250 a month for nonservice-connected cases.

Mr. CAMPBELL of Iowa. I am not going to take up the further time of this House for the reason that I expect again to speak when I submit my amendment, but, Mr. Speaker, let me say this in conclusion: That I feel it an honor to serve on the World War Veterans' Legislation Committee. I have known our chairman, ROYAL C. JOHNSON, of South Dakota, since we were young men just out of college. I have watched his career in the Congress of the United States as well as his service in behalf of his country. In that service he has seen the front-line trenches; he carries to-day the scars of battle. [Applause.]

His position is a hard one, but I know that his heart is with his buddies. I have received letters of censure from service men in regard to my colleagues of the committee; they have been very unfair, but I have looked upon them in a different light than if they should come from one in the prime of life and in the enjoyment of health. When we are sick the world does not look bright to us. We see the clouds and not the sunshine, and I forgive them and hope that some day they may know that down here in the Halls of Congress are women and men that look forward to the day when we may place these men on a reasonable compensation to in a small way recompense them for the services which they rendered their country in the hour of need and in support of the flag under which they fought.

Mr. RANKIN. Will the gentleman yield?

Mr. CAMPBELL of Iowa. I yield.

Mr. RANKIN. The record shows that the veterans now receiving compensation are receiving, on an average, \$43 a month. Is that correct?

Mr. CAMPBELL of Iowa. The gentleman from Mississippi [Mr. RANKIN] is correct.

Mr. RANKIN. The testimony before the committee was that they were receiving \$43 a month, on the average. If these men are cut down to 50 per cent of that amount, it will leave a little less than \$22 a month; possibly \$21.75 per month for the tubercular and neuropsychiatric cases. Does the gentleman not think that is too small for men suffering as the tubercular men are, to sustain themselves in their present unfortunate condition?

Mr. CAMPBELL of Iowa. In answer to the gentleman from Mississippi [Mr. RANKIN] I will say he is right in that part, but the gentleman is a little wrong in regard to the proportions. In other words, when a man is totally disabled and bedridden he will get a higher amount than one-half of \$40.

Mr. RANKIN. I agree with the gentleman from Iowa, that the higher the degree of disability the more money the man will receive. Is it not a fact that a great many of the best soldiers we had came back from the Army thinking they were all right, resisting all importunities to apply for compensation, and attempted to carry on until after 1925, when they finally broke down and are now suffering from tuberculosis, and who are just as deserving and whose disabilities are just as much due to the service as a great many who have been on the roll all the time? Does the gentleman not think that the tubercular men at least should receive full compensation instead of being reduced 50 per cent?

Mr. CAMPBELL of Iowa. As I said before, I have no argument with the gentleman on this point. In my town I know a man who came out of the Army with stomach trouble. He was suffering from stomach trouble from the day he got out of the Army. He finally reached the stage where ulcers had perforated his intestines and he had to be taken immediately to the hospital and be operated upon. That simply shows the type of man he was. There are hundreds of that class of men.

Mr. Chairman, I hope that my amendment may pass, that the benefits, although small, may reach out into each soldier's home which is to-day darkened by sickness and pain. But, Mr. Chairman, if this amendment should fail, I shall support the Johnson bill for there is no question that it goes a long way to alleviate the sufferer, and I am afraid that if I should vote for the extension of time for presumptive disability to 1930 that the financial weight will be so heavy that the bill will not become a law. [Applause.]

Mr. RANKIN. Mr. Chairman, I yield 15 minutes to the gentleman from Indiana [Mr. DUNBAR]. [Applause.]

Mr. DUNBAR. Mr. Chairman and members of the committee, I am not one of those who believe that the United States has done wonderful things for the soldiers of the World War. I do not believe we have been parsimonious, but I do believe we pat ourselves too much and congratulate ourselves too much for what we have doled out to them for their inestimable efforts in behalf of this Republic. [Applause.]

Certain underlying causes, among them our national integrity, were given for our entering the World War, which preserved our Nation and incidentally piled up billions of dollars of wealth for those who remained at home. The mere pittance of \$5,000,000,000 which we have paid to them, and which has been referred to by some of the Members of this body with so much pride, is nothing but a drop in the bucket as compensation to them for what they did for us.

I am first for the financial integrity of the Nation, and then I am in favor of paying compensation and providing for World War veterans in keeping with the amount we have in order to preserve our financial integrity. We can do so and provide handsomely for World War veterans.

I do not like the way we approach the passage of legislation for the "benefit" of the soldier. From what is said on the floor of the House it would appear that they are but mere beneficiaries of our charity and that we congratulate ourselves like the philanthropist who has made a world of money and then after dispensing a small amount of it for alms pats himself on the back and says, "Well done, good and faithful servant." So I do not like the way we approach what we do for the World War soldiers.

On page 17 of the report is this language:

Giving weight to the uncertain factors as to which no definite estimate is possible, it is expected that this bill will add at least \$100,000,000 a year to the annual appropriations, now amounting to about \$500,000,000.

Now, mark this:

For the "benefit" of veterans of the World War and their dependents.

How can we give them any benefit for what they have done for us? Rather should that have read:

For aid and partial payment, small though it may be, to the veterans of the World War and their dependents.

What is the meaning of the word "benefit"? The word "benefit" means "profit."

Mr. PERKINS. The word "benefit" does not mean "profit." It comes from two Latin words which mean "make good."

Mr. DUNBAR. You look in your dictionary and you will find that the word "benefit" means "profit." Where did you get your information?

Mr. PERKINS. Well, I studied a little bit of Latin once.

Mr. DUNBAR. Are you acquainted with any American dictionary?

Mr. PERKINS. I have seen one.

Mr. DUNBAR. Do you want to carry us back to the days of the Caesars, and to the days of the Coliseum, when men had to fight wild beasts—and gave up the ghost?

Mr. PERKINS. No.

Mr. DUNBAR. Why do you not Americanize yourself on this bill which we propose for the benefit of our soldiers? [Laughter and applause.] The gentleman should find out the meaning of the words put in that bill. If you want Latin or Greek, put it in there.

Mr. PERKINS. Will the gentleman yield?

Mr. DUNBAR. Yes.

Mr. PERKINS. I think the term used by the gentleman who drafted the committee report was as practical and as sensible as any word that could be used to express the meaning of the committee. We can never pay these men. The gentleman suggests partial payment. We can never pay the ex-service men but we can do something to benefit them.

Mr. DUNBAR. Which will be partial payment.

Mr. PERKINS. No; it does not mean that. You can not pay for flesh and blood and human anguish in dollars. [Applause.] For that reason the words "partial payment" were not put in there. But it does benefit these ex-service men a little bit to receive something from their Government.

Mr. DUNBAR. A little bit.

Mr. PERKINS. Yes; I will admit a little bit. I will also admit you can never compensate these men. The word "compensation" is wrongly used when you speak of these ex-service men, because you can never compensate them for what they suffered.

Mr. DUNBAR. I did not yield to the gentleman for a speech.

Mr. PERKINS. The gentleman yielded to me for a little Latin.

Mr. DUNBAR. Well, we have gotten very little knowledge and very little benefit from his Latin. In the American dictionary the word "benefit" means "profit"; it means advantage; it means the promotion of wealth and prosperity; it means a benefaction, a deed of kindness. I would like to know where any of the soldiers of the World War are going to get any profit out of this proposed legislation by reason of having served in the World War.

Mr. PERKINS. Will the gentleman yield?

Mr. DUNBAR. For a question.

Mr. PERKINS. Does the gentleman mean to say that the word "benefit" has all of the implications of the word "benefit" in the dictionary? No. It has a limited meaning. It means simply to give a slight advantage.

Mr. DUNBAR. No; it does not mean to give a slight advantage. I beg the gentleman's pardon.

Mr. PERKINS. It means making a small payment, not as compensation but by way of benefit to the ex-service men.

Mr. DUNBAR. I will take the American Dictionary, and I will call the gentleman's attention to the fact that it does not mean what he says it means. Now, it is said we spend \$500,000,000 a year for the benefit of our World War soldiers. That is the language used; but we do not spend \$500,000,000 a year for their benefit, so called.

In the message of the President transmitted through the Bureau of the Budget, we find there was expended during the year for the Veterans' Bureau \$581,000,000. Of this amount there was paid to soldiers for "benefits" which they received, the amount of \$189,000,000 for military and naval compensation. There was paid for medical and hospital services \$29,000,000. This makes a total of approximately \$230,000,000. Two hundred and thirty million dollars out of five hundred and eighty-one millions dollars is all that the veterans received.

It is true that military insurance amounted to \$115,000,000, which is counted as a part of this expenditure, but of that \$115,000,000 there was more than \$60,000,000 paid by the soldiers to the Government in order that they might be the beneficiaries of this insurance.

Then in addition to this, there is the adjusted-service compensation fund amounting to \$111,000,000. I claim this adjusted-compensation fund should not be regarded as a "benefit" to our soldiers, because it was only an amount of money voted to them as partial payment for incomplete compensation rendered to the soldiers for their activities in the World War.

But, Members of the House, it is a fact that out of \$581,000,000 appropriated last year for the United States Veterans' Bureau, the military and naval compensation, as well as the medical and hospital compensation, amounted to only \$230,000,000.

Mr. JOHNSON of South Dakota. Will the gentleman yield there for a question?

Mr. DUNBAR. Yes.

Mr. JOHNSON of South Dakota. It is true, is it not, that out of the total appropriations made for these purposes, hospitalization, adjusted compensation, disability compensation, hospitals, and so forth, all but 3.7 per cent go for the service men. In other words, there is only 3.7 per cent of overhead; is not that true?

Mr. DUNBAR. Medical and hospital services or military and naval insurance amount to \$115,000,000, and that is 20 per cent of the entire appropriation. There is more than the gentleman's 3 per cent in this one item.

Mr. JOHNSON of South Dakota. If the gentleman will pardon me, I think we can straighten this question out, and I believe the gentleman is wrong. That comes under the old war-risk insurance, which has, or will, cost the Government \$1,300,000,000, and these payments are going to these old war-risk insurance boys who get total disability, and therefore receive these payments of \$57.50 per month. They paid all the expense except \$1,300,000,000, which was a Government gratuity.

Mr. DUNBAR. Does the gentleman mean to say that military and naval insurance of \$115,000,000 is not money that is appropriated for the purpose of providing a fund to pay the insurance which will fall due in some years hence?

Mr. JOHNSON of South Dakota. Why, certainly. As the gentleman will recall, we had the old war-risk insurance that was given at a very, very low rate, so low that the men themselves paid only enough so that the total will cost the Government \$1,300,000,000 in addition to what the men will pay. So it is to that extent a gratuity.

Mr. DUNBAR. At the end of what time?

Mr. JOHNSON of South Dakota. At the end of the time we are done with the lawsuits, and we are practically done with them now.

Mr. DUNBAR. Then this \$115,000,000—

Mr. JOHNSON of South Dakota. Is a part of that and goes to the totally disabled men.

Mr. DUNBAR. That is more than 3 per cent.

Mr. JOHNSON of South Dakota. But that is not overhead. The overhead is only 3.7 per cent. In other words, 3.7 per cent goes to salaries, which is overhead.

Mr. RANKIN. Will the gentleman from Indiana yield right there?

Mr. DUNBAR. Yes.

Mr. RANKIN. The gentleman from South Dakota is entirely wrong about that.

Mr. DUNBAR. Then let me answer the gentleman.

Mr. RANKIN. The salaries in the Veterans' Bureau amount to more than \$40,000,000, and that is more than 5 per cent of the amount appropriated.

Mr. DUNBAR. It is almost 10 per cent.

Mr. JOHNSON of South Dakota. The gentleman is talking there about the doctors in the hospitals, which is an entirely different thing from overhead.

Mr. DUNBAR. I may say to the gentleman that I will admit he knows more about Veterans' Bureau legislation than I do, but I do not accept his statements because I do not think they figure out properly.

Mr. JOHNSON of South Dakota. Has the gentleman read the hearings?

Mr. DUNBAR. Only part of them.

Mr. JOHNSON of South Dakota. Well, this is in the hearings.

Mr. DUNBAR. Oh, there are a great many things in the hearings that I have read that I do not approve of, and I do not believe that the persons who made the statements themselves knew what they were talking about.

Mr. JOHNSON of South Dakota. What statements does the gentleman refer to? I may agree with the gentleman.

Mr. DUNBAR. I read in the hearings that the Rankin bill will only increase the cost \$40,000,000; does the gentleman agree with that statement?

Mr. JOHNSON of South Dakota. Certainly not, because that is an impossibility.

Mr. DUNBAR. That is one of them that I referred to.

Mr. RANKIN. Will the gentleman yield?

Mr. DUNBAR. Yes.

Mr. RANKIN. The gentleman from South Dakota talks about the overhead being 3.7 per cent. Of course, I do not know what the dictionary on the other side of the House would include as overhead, but I do know that the salaries in the Veterans' Bureau outside of the hospitals amount to \$21,000,000 a year, and that is more than 4 per cent of the total amount appropriated.

Mr. DUNBAR. Does the gentleman suppose there is a difference in the definition of overhead as between a Latin dictionary and an American dictionary? [Laughter.]

Mr. RANKIN. I have never seen the dictionary used by the steering committee over there and I do not know what language is used by them. [Laughter.]

Mr. HASTINGS. Will the gentleman yield?

Mr. DUNBAR. I yield.

Mr. HASTINGS. While we are injecting figures in here to show the amount of money paid annually and the amount paid in toto to the ex-service men, let me remind the House of the settlement with the foreign governments of \$10,705,000,000, according to the statement of the Treasury Department. If I understand the gentleman from Indiana right, he is more in favor of being generous to the ex-service men at home than to the foreign governments.

Mr. DUNBAR. At least equally so.

The CHAIRMAN. The time of the gentleman from Indiana has expired.

Mr. PERKINS. I yield the gentleman 15 minutes more.

Mr. DUNBAR. The gentleman who has just spoken to us says that we are liberal with the European creditor but not liberal with our own soldiers. I want to say that I agree with him. You take the settlement of our debt with France and it has been heralded all over the land and all over the world that France has discharged its obligation to the United States. To what extent did she discharge her obligation to the United States? If France had commenced in 1925 to pay the Government 2½ per cent interest on the amount of money she owed us and paid that for 62 years, then the proposition which we accepted from France would be equivalent to our cancelling the debt at that time.

So France does not pay us one dollar principal of the amount of money that she owes us. On the other hand, we are giving France the benefit in the interest which she pays between 2½ per cent and 3½ per cent, which is being paid by the Government of Great Britain.

Mr. JOHNSON of South Dakota. Will the gentleman yield?

Mr. DUNBAR. I yield.

Mr. JOHNSON of South Dakota. I do not like to inject these debt settlements into this discussion, but it was brought up by the gentleman from Oklahoma. I was a Member of the House in 1917, and the gentleman from Oklahoma who has injected this into the debate says that that money was loaned to the country, and I want to say that it was loaned without a note or a promise to pay. There was not one note or a promise to pay given in the Wilson administration. I know that we are never going to collect the settlements that we did make.

Mr. HASTINGS. If the gentleman will permit, when the loan was advanced we loaned our credit to the foreign governments, and these foreign governments said that they would pay us in toto not only the amount loaned but the amount with interest that we were paying on the loans, which was then 4½ per cent. It was stated here on the floor of this House again and again that every single, solitary dollar of that money and interest would be paid. I remember well that Speaker Champ Clark stated over and over again that no government had ever defaulted in payment to another government.

Mr. JOHNSON of South Dakota. The Secretary of the Treasury in the Wilson administration was Mr. McAdoo, and I challenge the gentleman from Oklahoma to bring before the House one note or promise to pay taken from any one of those countries.

Mr. HASTINGS. The gentleman from South Dakota well knows that the amount of money loaned in the Wilson administration has not been challenged, and that is not a question at issue.

Mr. JOHNSON of South Dakota. But nobody can produce a note given by one of these foreign governments.

Mr. HASTINGS. The gentleman from South Dakota can debate it in that way, because the amount has never been challenged.

Mr. DUNBAR. The gentleman from South Dakota said that he did not want to bring politics into the debate.

Mr. JOHNSON of South Dakota. And I did not bring it in.

Mr. DUNBAR. But the gentleman participated in it.

Mr. WAINWRIGHT. Will the gentleman yield?

Mr. DUNBAR. I yield.

Mr. WAINWRIGHT. Although, of course, there will always be the question of whether those debt settlements will be lived up to, however, if carried out on the basis of these settlements I say that, extending over a period of 62 years, we will have this result, that Great Britain will have paid every penny of the principal with interest at somewhat over 3 per cent, France every penny with interest at a little over 2 per cent, and that Italy will have paid every dollar of principal with interest at about 1½ per cent.

Mr. DUNBAR. I admit Great Britain is our only large debtor who intends faithfully to discharge its war obligations.

Mr. HASTINGS. Yes; and Italy is extended over a period of 62 years, and for the first 10 years she pays nothing, and then she starts at one-eighth of 1 per cent and, with the gentleman's permission, let me state that if you count the time that this is extended from and the amount of interest that we collect, instead of the 4½ per cent that we pay on our Liberty bonds you will find that we lose, according to the statement that I have had put into the RECORD a dozen times, made by the Treasury Department, \$10,705,000,000.

Mr. DUNBAR. That is absolutely correct, and it can be proven by statements and the records obtained from the Treasury Department, and I say to the gentleman that the statement that France will have paid back every dollar of principal is not true, that the gentleman has been misinformed, that if he was properly informed he would find out that the statement of Mr. Mellon or some one equal in authority will bear out the assertion that I have made, that if France would pay us 2½ per cent interest for 62 years, she would not pay one dollar of her debt.

Mr. WAINWRIGHT. And I contradict the gentleman just as much as he contradicts me, and I stand on my assertion.

Mr. KETCHAM. Mr. Chairman, I am interested in this discussion of the debt settlement, but that has passed the stage in the House where it is under discussion. I am more interested now in the gentleman's viewpoint as to his attitude on this pending legislation. He has been diverted in his discussion of the question and I would like to have him now return to that and tell the House before he is again diverted exactly what he would do if this legislation were up to him now?

Mr. JOHNSON of South Dakota. Mr. Chairman, will the gentleman yield for a parliamentary inquiry?

Mr. DUNBAR. Yes.

Mr. KETCHAM. But first let the gentleman tell the House what he would do if this matter were put up to him. I am interested in his interpretation of what it would be wise for the House to do now?

Mr. DUNBAR. I would vote to extend the provisions of the Johnson bill for five years. I will vote to add the Rankin bill, if the Johnson bill is not extended for five years, and supplement it for an additional five years. I will vote for either one of the measures which would extend it for an additional three years, pending which time there should be a scientific investigation as to the best means for this Government to treat all of its former soldiers. That is how I stand. Then, if I can not get that, I will gladly vote for the Johnson bill, and congratulate him on having at least done much for the ex-service man, but still not what they deserve and not what the gentleman thinks in his own heart they deserve. I fully believe that after Mr. JOHNSON has enacted this legislation for the benefit of the soldiers, which will be a long step forward, in his own soul he will immediately begin to think of some way by which he can function so as to bring the soldiers a greater amount of justice for the services they have rendered and for which in our treatment we have so neglected them.

I know Congressman JOHNSON, and he will do it. He was a man who resigned his seat in Congress and went to the front to fight as a private. He was wounded in action. That is the kind of a man he is. He sympathizes with the soldiers a great deal more than his bill indicates. [Applause.]

Mr. KETCHAM. Mr. Chairman, I am grateful to the gentleman for this very clear outline of what he would do. I was afraid that he was not going to be permitted to put in his own interpretation of his own attitude.

Mr. RANKIN. Mr. Chairman, will the gentleman yield?

Mr. DUNBAR. Yes.

Mr. RANKIN. I just want to make this statement in answer to the gentleman from South Dakota who said that the United States Government had no note or I O U for the moneys advanced the European countries during the war.

Mr. DUNBAR. That is going back to that other subject.

Mr. RANKIN. That statement is incorrect, because in the debate on those debt settlements, the I O U's were read in which those countries promised to pay the amount loaned.

Mr. JOHNSON of South Dakota. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. JOHNSON of South Dakota. This entire debate on the matter of debt settlement is out of order under the rule, is it not?

The CHAIRMAN. The rule provides that debate shall be confined to the bill.

Mr. DUNBAR. Let us all keep off the matter of the debt.

Mr. RANKIN. Mr. Chairman, the point of order is not well taken.

The CHAIRMAN. The gentleman did not make a point of order. The gentleman from Indiana will proceed in order.

Mr. RANKIN. I just want to say, if the gentleman will yield there, that this discussion has been entirely in order.

Mr. DUNBAR. I think so.

Mr. RANKIN. The gentleman from Indiana was entirely within his rights in discussing it.

Mr. DUNBAR. I think so. I have heard many subjects discussed on this floor in which the speaker deviated more from his subject than I have deviated from mine to-day, and I think those who addressed the House deviated farther than I. [Laughter and applause.]

Mr. JOHNSON of South Dakota. I think the gentleman is entirely correct.

Mr. CONNERY. The gentleman from Indiana will remember that the gentleman from Texas said that this bill is going along and will be passed and then will go over to the Senate and proceed in proper order to the President. Is not this the gentleman's experience with veterans' legislation—that if we should pass the amendment I suggest, bringing it up to 1930, and the gentleman said he would support that, which would cost approximately \$300,000,000, yet when that gets to another body, that body will immediately slash it, and then when it is put up to the President it will not be \$300,000,000, but that in the last days of the session it will be rushed through and not be anywhere near \$100,000,000?

Mr. DUNBAR. I say to the gentleman that no conclusive evidence, founded on any calculation with facts as a basis, has been submitted to this body, although the statement has been made that if the Rankin amendment is adopted it will increase the amount to be paid by \$400,000,000 a year, and I say to the gentlemen who have charge of the bill that while you have received this information in the last few days, at the same time it should have been given to the committee two or three months ago so that the calculations which went to make up this amount could have been analyzed and investigated, and determined upon, with those who had another viewpoint, and then it would have been a matter for discussion.

Mr. RANKIN. The Director of the Veterans' Bureau has written within the last few days, and I have inserted his statement in the RECORD, in which he says that if the Rankin bill is imposed on the Johnson bill up to 1930 it would only increase the amount by \$31,000,000 a year.

Mr. JOHNSON of South Dakota. That would be so with respect to the claims that have been filed, but all of the claims have not yet been filed.

Mr. DUNBAR. Various suppositions may have been brought into the cases.

Mr. RANKIN. If you were to add \$400,000,000 you would probably have five times as many cases as you have had heretofore?

Mr. DUNBAR. What if you did pay \$400,000,000, if we could thereby relieve the suffering of the World War Veterans?

Mr. RANKIN. I think his statement is simply misleading the House. If the Rankin bill is imposed on the Johnson bill, extending the presumptive period to 1930, the entire bill will cost only \$108,000,000. That is according to the figures submitted by the Veterans' Bureau.

Mr. DUNBAR. Now gentlemen talk about the large amount of money drawn out of the Treasury of the United States in behalf of our veterans. We paid last year \$221,000,000 of actual money to the veterans themselves. But that is not much more than half the money that the Government of the United States received for the tax imposed on cigarettes.

The CHAIRMAN. The time of the gentleman from Indiana has expired.

Mr. RANKIN. I yield to the gentleman five minutes more.

Mr. DUNBAR. Three hundred and forty-one million dollars was paid into the Treasury of the United States last year from the tax imposed on cigarettes, and that did not include the revenue on the paper used in the making of the cigarettes. That tax, I say, was paid on cigarettes, and yet we paid only \$221,000,000 for the relief of the World War veterans, using the words put in by the committee.

Mr. SCHAFER of Wisconsin. Mr. Chairman, will the gentleman yield?

Mr. DUNBAR. Yes.

Mr. SCHAFER of Wisconsin. When considering the tax revenues from cigarettes you must realize that Dr. Clarence True Wilson, the ardent prohibitionist, has launched an attack upon the use of cigarettes. If he is as successful on cigarettes as he has been on prohibition, we will not have that cigarette-tax revenue in the future.

Mr. DUNBAR. Does not the gentleman think that if a man smoked a pipe or a cigar he would be better off than if he smoked cigarettes?

Mr. SCHAFER of Wisconsin. No. I think he would be much better off if he drank light wine or beer. [Laughter.]

Mr. RANKIN. There is no more danger of prohibiting the use of cigarettes by law than there is of repealing the eighteenth amendment or modifying the Volstead Act, for which the gentleman from Wisconsin [Mr. SCHAFER] has been clamoring.

Mr. DUNBAR. Mr. Chairman, it has been stated that if T. B. was not connected up with service to 1925 it could not be connected up with service from 1925 to 1930. Let me read to you about T. B. from the Encyclopedia Americana. It has been stated by some that if T. B. has not manifested itself by 1925 the predisposing cause was other than war. This is not true. As stated by the Encyclopedia Americana:

Any circumstance which tends to lower the general resistance decreases the resistance to tuberculosis.

Who is there who will proclaim that those who engaged in the World War did not encounter circumstances which tended to lower vital resistance to T. B.?

The Encyclopedia Americana, on the subject of tuberculosis, written by James Walsh, A. M., M. D., and who was considered one of the best authorities on this subject by the editors, states that chronic tuberculosis of the lungs at the onset is usually insidious and the disease frequently progresses for from 5 to 20 years before the patient recognizes it, unless he is examined annually by a physician, aided by all the modern scientific apparatus, the expense of which 90 per cent of the veterans of the World War can not afford.

Mr. ABERNETHY. Mr. Chairman, will the gentleman yield?

Mr. DUNBAR. Yes.

Mr. ABERNETHY. I am very much pleased because the committee has brought this matter out for discussion on the floor of the House, and I think it is very fine to have it done in this way. I am sure it is going to be beneficial. I am very much interested in what the gentleman from Indiana is saying, and I think he is making a wonderfully interesting talk upon this subject, and I think he will not object to this statement going into the RECORD.

Mr. DUNBAR. I thank the gentleman for his friendly words.

Tuberculosis is a very insidious disease. It takes often from 5 to 25 years before it manifests itself. A man may not know he has it during that time unless he is examined by a competent physician, aided by scientific apparatus. Our soldiers can not afford these examinations. There are many soldiers who went to the front to fight in the war which made more than 25,000 American millionaires—and some of them are worth hundreds of millions—and should not these soldiers be given the benefit of the doubt? In fact, the probability is that chronic tuberculosis in most of the cases which appeared between 1925 and 1930 was caused by their serving in the World War and these soldiers are deprived of compensation from the Government.

I want to say, gentlemen, it is not fair and it is not just. I will vote for the Rankin amendment to extend the presumptive period of tuberculosis and mental diseases which occur up to 1930 being permitted to be connected with service origin.

Mr. CONNERY. Mr. Chairman, will the gentleman yield there?

Mr. DUNBAR. Yes.

Mr. CONNERY. Will the gentleman vote for an amendment which I will offer to bring it up to 1930, including all diseases?

Mr. DUNBAR. I will.

Mr. SCHAFER of Wisconsin. Will the gentleman vote for an amendment to bring it up to 1940 or 1945?

Mr. DUNBAR. No; but I believe that by 1933 we can devise some intelligent plan by which we can take care of all the veterans of our wars.

A man can take an ounce of whisky and not get drunk, but if he takes a pint he will probably become intoxicated. So, you can not compare a man who could drink a pint with a man who would drink an ounce.

It is said that we are not able to pay the soldiers' bonus. The Federal debt in the United States was decreased in the last 11 years more than \$9,000,000,000. Last year we reduced the Federal debt \$734,000,000. The gentleman may say that our surplus was not that much. Nevertheless, notwithstanding the report of the Secretary of the Treasury, which shows that our surplus was only two or three hundred million dollars, we reduced our debt last year \$734,000,000. You have to take with a great deal of allowance all the public utterances respecting our settlements of debt and our own finances. It has been stated that Mr. RANKIN's bill would increase the debt \$400,000,000. This is an unverified estimate coming from no one knows where and is similar to other high-brow estimators. General Lord, who was the head of the Budget system, on April 23, 1923, made a speech in Indiana which was carried in the Associated Press. He predicted in that speech that our deficit for the year 1923, which would end in three months, would be \$280,000,000. Two weeks later in Salt Lake City or somewhere farther west, he predicted our deficit would be \$280,000,000 and \$190,000,000, and it turned out that two or three months after he made that prediction the annual statement of the Secretary of the Treasury was issued and showed that we have reduced our debt \$700,000,000 that year. The ignorance that would cause a man connected with our Government to make such a statement and have it proclaimed all over the land, I can not understand, and therefore I do not accept statements which are made, giving figures, until I have an opportunity to investigate them.

Our debt reduction this year will be more than it was last year. Who says that we can not pay our soldiers \$400,000,000? I know it would not be that much more, but, that objection is eliminated, because the decrease in our debt this year will be something like \$800,000,000.

It may be claimed that our revenue is going to gradually grow less. I do not believe it. Our expenditures may increase, of course, but the time will come when Federal rebates to internal-revenue taxpayers will become less. If reports are true, we are going to save \$1,000,000,000 in six years as a result of the London conference. That will take care of some of our increased expenditures and then the cigarette tax is increasing at the rate of \$30,000,000 per year, and our interest charges are being reduced \$25,000,000 annually.

The CHAIRMAN. The time of the gentleman has again expired.

Mr. RANKIN. I yield the gentleman three minutes more.

Mr. DUNBAR. From June 30 last year up until this date the surplus applicable to the reduction of our public debt, as I read it in the detailed statement of the Federal Treasurer's report, was \$536,000,000. In other words, we have reduced our debt \$536,000,000 already this year, and we are \$40,000,000 ahead of one year ago. In other words, our receipts less our expenditures are \$40,000,000 more than our receipts a year ago, over our expenditures.

The cigarette tax is increasing at the rate of \$35,000,000. In 10 years from now the tax on cigarettes will take care of all the money that we have paid to the veterans.

Mr. ABERNETHY. Will the gentleman yield?

Mr. DUNBAR. I yield.

Mr. ABERNETHY. I hope the gentleman will not take all the Government expense out of cigarettes alone. Let us have something else. I come from a great cigarette country, and I am trying to get some of the tax removed.

Mr. DUNBAR. I agree with the gentleman, that the tax on cigarettes is excessive, yet, people all pay it willingly.

Mr. ABERNETHY. I understand that.

Mr. CONNERY. Will the gentleman yield?

Mr. DUNBAR. Yes; I yield.

Mr. CONNERY. I think the cigarette industry should be able to carry it, judging from the cigarettes that we smoked over in France. The soldiers should get some return from the cigarette industry.

Mr. ABERNETHY. I am for the soldier, but I do not want to put all the tax on cigarettes.

Mr. SCHAFER of Wisconsin. Will the gentleman yield?

Mr. DUNBAR. I yield.

Mr. SCHAFER of Wisconsin. The gentleman might make a compromise with the gentleman from North Carolina [Mr. ABERNETHY] and modify the prohibition laws and obtain a tax revenue on light wines and beer and relieve cigarettes from a part of the tax which they are now bearing. [Laughter.]

Mr. DUNBAR. I agree with Mr. CONNERY that we are indebted to the American soldier, who started the cigarette habit

over in France, the tax from which collected by our Government exceeds the "benefits" paid World War veterans and their dependents more than \$120,000,000 annually. The ladies are also indebted to the soldier for the former unknown bliss and raptures afforded by smoking tobacco. We are going to continue to decrease our debt between \$700,000,000 and \$800,000,000 a year. I agree with the gentleman that England made an honorable settlement of her debt. I do not expect we will ever get much from any other government, but there will be a little come in the next two years to take care of the "benefits" we additionally grant World War veterans.

Gentlemen, I am glad for the consideration that has been given to the soldier. He has not received sufficient consideration. I am glad the gentleman from South Dakota [Mr. JOHNSON] brought in this bill, because, as I said before, it is only a step forward. I am glad the gentleman from Mississippi [Mr. RANKIN] started the agitation. He did start the agitation, and a great deal of credit should be given to him. I am glad that the efforts of these gentlemen—two wonderful soldier friends—will help bring justice to the soldiers. [Applause.]

The CHAIRMAN. The time of the gentleman has again expired.

Mr. JOHNSON of South Dakota. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. MAPES, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill (H. R. 10381) to amend the World War veterans' act, 1924, as amended, and had come to no resolution thereon.

THE LONDON NAVAL CONFERENCE

Mr. BACON. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by inserting therein the radio speech of Senator ROBINSON, broadcasted from London, on the results of the London conference.

The SPEAKER. The gentleman from New York asks unanimous consent to extend his remarks in the RECORD by printing the London radio address of Senator ROBINSON. Is there objection?

There was no objection.

RADIO ADDRESS OF SENATOR ROBINSON

Following is the text of Senator ROBINSON's address as heard here:

The conference having concluded its work except for the formal ceremony of signing the treaty, it seems appropriate to summarize the results. No effort is in mind to speak from a technical viewpoint. The desire is to present in condensed form the principal features of the arrangement entered into with regard to the programs of the three chief naval powers.

The prime objectives of our delegation have been:

1. To cooperate with other delegations in terminating naval competition by limiting all classes of warships.
2. To secure equality of naval strength for the United States with Great Britain.
3. To arrange a satisfactory relation between our Navy and that of the Japanese.
4. To bring about reductions in tonnage wherever practicable.

Let us consider the degree to which these objectives have been attained.

It is clear that as a 5-power enterprise there is not complete success. The importance of this is not to be minimized. Unquestionably it would have been more satisfactory to have a treaty defining the programs of France and Italy as well as those of Great Britain, the United States, and Japan. The Italians insisted on parity with the navy of the strongest continental power, even though there is little likelihood that Italy would actually build up to French tonnage during the period of the treaty. The French refused this demand. France is carrying forward a naval construction program materially increasing her tonnage in cruisers, submarine boats, and destroyers. She was not disposed to reduce these tonnages without new guaranties of security.

CONTINGENT CLAUSE USED

The various methods of creating new guaranties of security were amply discussed in the press while the negotiations were in progress. No delegation asked the United States to participate in any security pact. The American delegation made it plain that the United States would not join any consultative pact which could by implication be regarded as giving security. The French said that a mere consultative pact would not take 1 ton off their navy. The French and British tried to restate their security obligations as a basis for a reduction in French tonnage. This effort had to be linked with a settlement between France and Italy. It was the realization that this double settlement would have to be postponed that led to the conclusion of the conference

on the present basis, and the insertion of a contingent clause to which further reference will be made.

We took the position that fair limitation of armament is of itself a wholesome and effective measure of security, tending to promote international good will and pacific measures for adjustment of disputes where treaty relations are threatened or disturbed. Consultation is a logical and probably inevitable process; but agreements for consultation, unless carefully safeguarded and entered into in advance, in the opinion of many tend to the formation of alliances and to the assumption of responsibility for decisions which might result in involvements which our people desire to avoid.

Efforts to negotiate a 5-power arrangement were continued—perhaps they were unduly prolonged—finally resulting in a postponement of conclusions between the European powers and participation by France and Italy in the provisions of the treaty except those relating to the limitation of tonnages. The provisions in which all five powers join, while less comprehensive than those entered into by the United States, Great Britain, and Japan, include the battleship holiday and the restriction on the use of submarines against merchant ships in time of war, which in themselves are achievements of magnitude and value.

SUBMARINE WARFARE LIMITED

With respect to the above-mentioned restriction on the use of submarines the five powers accept as rules of international law:

1. That submarines in action with regard to merchant ships must conform to the rules applicable to surface vessels.

2. More definitely stated, save in case of persistent refusal to stop when duly summoned or of active resistance to visit or search, neither surface craft nor submarine may sink or render incapable of navigation a merchant ship without first safeguarding the passengers, crew, and ship's papers. It is further declared that placing passengers, crew, and ship's papers in the ship's boats is not a compliance with this rule unless safety is assured by sea and weather conditions, proximity to land, or the presence of another vessel to take them on board.

The acceptance of these rules as international law may not prevent all abuses of the character denounced. Undoubtedly in time of war belligerents will be tempted to violate them. However great such temptations may prove, parties to future conflicts will be slow to challenge the resentment of mankind by ruthless destruction of merchant vessels, for such a course would invite results disastrous to the offender.

The limitations agreed to by the three powers are accompanied by a contingent clause which provides that if any one of the three feels its national security jeopardized by new naval construction of any power whose auxiliary fleet has not been limited, it may notify the others what increase it requires. The others may then make proportionate increases. This is in no sense a sanction; neither does it provide for consultation.

Of course, it may be said in criticism that this clause permits a disturbance of the limitation agreed to on the sole responsibility of either the United States, Great Britain or Japan, and that if any one of the three adjudges it to be necessary to build in excess of the treaty program this will increase the building of the other two. But even if this should happen the relation of the fleets and the principles of limitation would still be maintained.

It should also be remembered that the limitation of armaments must proceed only through the voluntary action of nations and that no power can arbitrarily impose on another restrictions of the means of defense without assuming moral responsibility for its safety. It is of first importance that the limitation of armaments shall be regarded as increasing rather than diminishing the safety of peoples, and if emergencies, regarded as remote but nevertheless as possible, arise, threatening immediate danger, the peoples should be free to respond to the requirements of their situation.

Otherwise the fate of nations must forever be bound up with the maintenance of large armaments and the imminence of war. This clause is based upon the good faith of the three nations, and it is inconceivable that it will be used except upon necessity. It leaves the responsibility of determining the requirements for national security where it belongs, namely, on the respective nations.

A clause providing for consultation or mutual agreement might imply some measure of obligation of all who enter into it. Failure to bind ourselves to consult or mediate in no way impairs the right of the United States to consult and give advice and even tender good offices should the occasion justify, but we should be left free to act as the friend of both parties to a dispute or at least as impartial in all controversies which do not involve American rights or interest.

This treaty vitally affects the relations between the Navies of Great Britain, Japan, and the United States in every category of war vessels.

The treaty contemplates two important changes from the Washington treaty adjustment regarding capital ships. Under the plan now in force, prior to December 31, 1936, the United States would lay down 10, Great Britain 10, and Japan 6 new capital ships. Under the proposed London treaty no new ships of this class will be laid down.

In addition to the holiday, the three powers will commence to scrap in this class prior to December 31, 1931:

Great Britain, 5; United States, 3; Japan, 1.

SEES HUGE EXPENSE DEFERRED

Thus substantial parity between the United States and Great Britain will result following the close of 1931. Postponement of construction of the 10 ships referred to will probably contribute to a final permanent reduction in this category. It will certainly defer the expenditure by the United States of at least \$300,000,000 during the life of the treaty. The early scrapping agreed upon likewise will result in avoiding expenditure which otherwise would be required for repair, maintenance, and operation.

Our experts are of the unanimous opinion that these amendments to the battleship program will bring about actual parity between the United States and Great Britain in capital ships.

In the large cruiser class, carrying 8-inch guns, the United States will have 18 ships with a tonnage of 180,000, Great Britain will have 15 ships aggregating in tonnage 148,000, and Japan 12 ships totaling 108,400 tons. The United States desired a considerable number of vessels having a long cruising radius, while Great Britain found a comparatively large number of the small type better adapted to her purpose.

The superiority afforded the United States in these large cruisers constituted recognition to some extent of the difference in type of cruisers required for her purposes as compared with the British needs. Prolonged investigation of the subject led to the conclusion that no scientific basis exists for measuring the difference in value between large 8-inch gun cruisers and vessels carrying 6-inch guns. To offset the American advantage of 33,200 tons in 8-inch gun cruisers Great Britain has the right to employ in 6-inch gun cruisers 48,700 tons more than the United States, making a net difference in the cruiser tonnage of the two powers of 15,500 in favor of Great Britain in cruisers of all classes.

It is not possible to say that this difference corresponds with mathematical accuracy to the superior value of the large cruisers which the United States has the right to possess over those allowed Great Britain.

Within certain ranges 6-inch guns are more effective than 8-inch guns. At great distances, however, the advantage clearly is in the ship carrying guns with the longest range. On the other hand, the smaller guns can be fired more rapidly and perhaps more accurately than the heavy 8-inch weapons.

There can be no important advantage to either of the two powers because of this difference in 8-inch cruiser tonnage.

Moreover, it may be emphasized that the United States has the option to build exactly Great Britain's program and thereby produce a ton-for-ton parity between the two countries.

DESTROYERS CUT SHARPLY

In the destroyer category very material reductions are made. The United States now has a tonnage considerably in excess of 200,000, but many of the ships are old, and nothing like the present number is required. Great Britain and the United States will each have 150,000 tons in destroyers. The present Japanese fleet of 6-inch gun cruisers is 98,415 tons. The treaty gives Japan 100,450 tons. The present Japanese destroyer fleet is 129,375 tons. In these two categories Japan will have 70 per cent of our fleet and 17,000 tons less than the present.

Finally, each of the three powers may have 52,700 tons in submarines. In the conference the United States and Great Britain sought to abolish warships of this class, but other powers were unwilling to do so and limitation was resorted to at a relatively low tonnage.

The United States at the opening of the conference was inferior in submarine tonnage to both Great Britain and Japan. Our inferiority in this class, as in the cruiser category, is attributable to our failure to build following the Washington conference. From the ratification of the Washington treaty until now the United States has neglected building not only in those classes in which a war surplus remained, but also in cruisers in which our Navy was deficient.

COMPARES TONNAGES LAID DOWN

The total tonnage in all classes of auxiliary craft laid down by the United States during the years 1922 to 1930, inclusive, was 138,120. During that time Great Britain laid down 203,725 tons, Japan 242,771 tons, France 249,454 tons, and Italy 163,943 tons. It is apparent that in those years the United States had a much smaller building program than any of the other four powers.

Our war tonnage is now becoming obsolescent and we are faced with the necessity of rebuilding much of the Navy. The treaty enables us to proceed with the task in an orderly manner and at a lower total tonnage than we have had in the past, in spite of the fact that we have built less than any other country represented at the conference.

This is the story of the treaty in figures as comprehensively related as found practicable within the proper limits of this address. There are other bases than that here employed for comparison, but it is believed that the one chosen for present purposes gives the clearest showing possible of what has been accomplished and some reasons for the programs incorporated in the treaty.

Mr. BACON. Mr. Speaker, I also ask unanimous consent to extend my remarks by inserting the short radio address, delivered by Secretary Stimson to the Associated Press.

The SPEAKER. Without objection, it is so ordered.
There was no objection.
The address was as follows:

RADIO ADDRESS OF SECRETARY STIMSON

Mr. Noyes and gentlemen of the Associated Press, when I had the pleasure of meeting the directors of the Associated Press last January at the dinner given by Mr. Ochs I warned you that the London conference would be a prosaic performance. I prophesied that what it lacked in drama it would make up in length. I think you will agree with me that my prophecy has been fulfilled.

Yet because it has involved tedious and necessarily private negotiation it would be a great error to jump to the conclusion that it does not contain dramatic promise for the future. As a matter of fact, the past 14 weeks have given me more confidence in my belief that the peaceful methods of diplomacy can eventually take the place of war than anything I have witnessed since the last war drew to a close. This conference is based on the fact that limitation of arms gives us an affirmative plan for promoting good relations. Merely negative opposition to war is not sufficient. Progress in civilization comes only from the affirmative cultivation of habits of good will.

Nearly two years ago the nations of the world met together at Paris and signed a document containing a good resolution of epoch-making importance. That was the so-called Kellogg-Briand pact, in which the nations renounced war as an instrument of national policy and agreed in future to solve their controversies only by pacific means. That instrument proposed a new era. It laid down a new international policy and it had behind it a general and overwhelming popular support. But such a proposal can not be made and then left alone to hatch. New eras do not come out of old conditions merely by a new edict or a good resolution.

In order to reach a condition when no nation will resort to war as an instrument of national policy there must be established a larger measure of confidence than now exists in the ability of the different nations of the world to maintain their pacific intentions under all the temptations and circumstances which are sure to confront them. History shows us only too clearly what will happen if we leave the old conditions unchanged. Affirmative constructive steps must be taken to carry out our good resolution and to begin the evolution in mutual confidence and good will, upon which the success of our resolution depends. Otherwise the failure of our good resolutions may produce a condition worse than if they had never been made.

Last spring President Hoover wisely decided that one of the most important of such constructive steps was a move toward naval limitation.

He realized that if the nations mean the Kellogg pact literally they must not allow conditions to arise that will jeopardize their promise. The first method to that end is an agreement on limitation of armaments. That is a clear and positive test of a national intention to maintain pacific relations under all circumstances. Such an agreement by its very nature precludes the idea of war as an instrument of national policy. For no nation is likely to agree that its neighbors shall have a navy large enough for such a purpose.

ARMS LIMITATION A BAROMETER

One of the surest tests, therefore, of the effectiveness of the Kellogg-Briand pact is the progress which is being made in the limitation of armament. Limitation of armament is a barometer or gauge of the development of confidence between nations which will enable them to deal with each other wholly upon an amicable basis. It is for this reason that my experience in the naval conference has given me so much encouragement. This encouragement is not based solely on an appraisal of just how much has been accomplished in the particular treaty which we are signing but also upon the demonstration which this treaty affords that the process of limitation can be carried further in the future.

The work of the London conference has really comprised two quite separate naval problems—the problem of the relations between the navies of the United States, Great Britain, and Japan on the one hand, and the problem of the relations between the navies of Great Britain, France, and Italy on the other.

These are quite distinct problems. The first of these has been solved. This is a great achievement in itself and fruitful of great benefit to the general conditions of the world for the future. But it is a far simpler problem than the other because the naval relation of three countries, separated by such great oceans and wide distances as separate Great Britain, the United States, and Japan are necessarily less complex than the naval relations of the great powers of Europe. The latter are complicated by many conditions from which the former are entirely free. Furthermore America's isolated and advantageous position and the national security which this position affords imposes upon us the duty to lead in the limitation of armaments and to refrain from criticizing others less fortunately placed.

In the second of these problems—the problem of the relations of the navies of Great Britain, France, and Italy—valuable discussions have been had and the underlying questions upon which a final solution must rest have been explored and clarified. In much of the discussion members of the American delegation have been privileged to sit as friendly observers, watching the development and clarification of these under-

lying questions. The discussion has not merely involved a negotiation about the size of navies or the types of ships. It has been a study and debate concerning the political questions which govern the relations of these three nations of Europe to each other.

ISSUES HAVE BEEN CLARIFIED

Into these political questions it has not been America's business to enter. But sitting on the side lines it has been quite evident that the result of the conference has been to clarify issues and make their solution in the future more possible. In this way a long step forward has been made toward ultimate limitation by those nations which have not yet agreed on a complete limitation of their navies.

This came not only by clarifying the results of their discussion but by the patience and good temper in which those discussions were carried on. This has been a good augury for the prospects of their final success. They are separating now full of determination to grapple with these problems as they now stand revealed and to finally solve them.

In summary, the message which I should like to make clear to you all to-day is that the success of the London naval conference is necessarily related to the success of the Kellogg pact. The good resolutions of that pact can not stand alone. They must be followed by national effort, prompt, constant, unremitting effort, to make them good, and no line of effort offers a better earnest of its success than the line of naval disarmament. In selecting that line, President Hoover laid his finger upon the best method of insuring that our solemn promise of two years ago should be fulfilled.

There are but two possible roads to travel. One is the road of competitive armament and this, whether accompanied or unaccompanied by good intentions, will lead to war. The other is the way of limitation with its constant effort to forestall war by creating such confidence and friendliness between nations as will prevent the seeds of war from growing.

We have now before us not only a definite objective but a concrete method of going at it. There is something to work on, to get our teeth into. The hard work and constant vigilance which will translate good intentions into practical realities can be accomplished and are being accomplished by naval limitation. This, to me, is the significance and encouragement of the conference we have just been through.

GREAT SMOKY MOUNTAINS NATIONAL PARK

Mr. ABERNETHY. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by printing the proceedings before the Secretary of the Interior, including the addresses of the Governors of the two States of North Carolina and Tennessee, upon the acquisition by the Government of the Great Smoky Mountains National Park.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. ABERNETHY. Mr. Speaker, under the permission given me, I desire to place in the permanent records of the Congress the most interesting ceremonies which were held in the office of the Secretary of the Interior on Thursday, February 6, 1930, when the Governors of the States of North Carolina and Tennessee presented to the Government 158,799.21 acres of land in the area of the proposed Great Smoky Mountains National Park, N. C. and Tenn.

It was my good fortune to have been in charge of the legislation from the Public Lands Committee of the House when the bill was passed establishing this great park. I have had a keen interest in the rapid development made in its establishment. It will, when completed, be a great national playground and spot of scenic wonder and beauty for the pleasure and profit of those who now live and for unborn generations.

The late Director Mather of the National Park Service, in his annual report of 1923, recommended that a thorough study of the Southern Appalachian Mountain Range, extending from Virginia to southern Georgia, be made with a view to selecting the most typically scenic area as a site for a national park which would measure up to the standard, dignity, and prestige of the existing members of the national park system.

Secretary Hubert Work approved of the suggestion, and on February 16, 1924, invited four public-spirited persons to undertake this investigation. He offered Hon. HENRY W. TEMPLE, Representative from Pennsylvania, the chairmanship of the proposed committee. Doctor TEMPLE's long service in Congress and his enthusiastic interest in national parks made his selection appropriate.

The Secretary invited Major Welch, general manager of the Palisades State Park, New York and New Jersey, to become a member, as he was a recognized expert in park matters and had been associated for years in development of State and National parks.

The Secretary asked the Council on National Parks, Forest, and Wild Life to cooperate with him by naming two of its members to serve on the committee. Mr. Harlan P. Kelsey, a director of the Council on National Parks, Forest, and Wild Life, was nominated as one of the members and Mr. William C.

Gregg, the director of the National Arts Club of New York, was nominated as the other member.

Mr. Kelsey, in addition to being a director of the Council on National Parks, Forest, and Wild Life, was president of the American Association of Nurserymen and ex-president of the Appalachian Mountain Club, as well as holding various offices in associations which were interested in National and State parks.

Mr. Gregg had been for years an enthusiastic national park devotee, and had on numerous occasions cooperated with the National Park Service by devoting his time and personal fortune in assisting in the development of national parks.

Col. Glenn S. Smith, who had served the Department of the Interior for more than 35 years as a topographic engineer in the Geological Survey, was designated by the Secretary to represent him on the committee.

The first year of the existence of this committee appointed by Secretary Work was spent in investigating areas in the southern Appalachian Mountains. As the committee was not authorized by Congress, and no funds were therefore made available for the expenses of these investigations, it was necessary for the individual members to pay from their personal funds the expenses in connection with these investigations. However, public-spirited citizens, including one of the members of the committee, donated sufficient funds for carrying on the work for the first year.

Congress, recognizing the important work the committee was doing, authorized the Secretary to appoint the members of the committee as members of a commission and appropriated funds for their expenses, but no salaries were authorized.

For six years the four members of this commission have devoted their time to the securing of areas for national parks in the East at a great sacrifice on their part as they were all men who had business connections which required their attention, and to make the investigations required it was necessary that these men spend considerable time away from their legitimate businesses to carry out the wishes of the Secretary. One of the commissioners took his duties so seriously and was so interested in the work he not only spent his time in making the investigations but paid all his expenses in connection with such investigations from his personal funds, refusing to accept any money from the Government for his expenses.

Ex-Secretary Hubert Work showed great interest from the very outset in securing areas in the East for national parks.

The speeches made on the occasion of the delivery of the deeds for the lands in the park are as follows:

Associate Director Cammerer introduced Gov. O. Max Gardner, of North Carolina, to Secretary Wilbur, and the governor made the following speech of presentation:

Mr. Secretary, North Carolina joins Tennessee to-day in presenting to the Federal Government under existing laws 158,799.21 acres of that unique area designated as the Great Smoky Mountains National Park. Our joint action makes the first concrete step toward the actual consummation of this project and we confidently believe we shall soon take the next step, when the minimum area, or a total of 427,000 acres will be presented. Then, Mr. Secretary, the Federal Government will be free to proceed under the law with the development of a great park in the Appalachian Mountains for the benefit of the entire Nation.

We are presenting to you "the most massive uplift" in the East, containing 18 peaks towering about 6,000 feet. This particular area, lying in almost equal portions in North Carolina and Tennessee, is unsurpassed for natural beauty and grandeur and contains 1,000,000 acres of virgin forests, some of which were full grown when Columbus discovered America.

The Great Smoky Mountains National Park, when established, will create in the heart of the Appalachian Mountains a permanent sanctuary for animal and bird life and a botanical garden and arboretum which scientists say will be unequalled in the world.

This great undertaking, when accomplished, will preserve the last remnant of the American wilderness of any considerable size east of the Mississippi River, and a great tract of virgin timber which will be allowed to stand in its natural grandeur, safe forever from the usual forces of devastation. In conserving this great forest, we shall preserve at its source the water power of two States and minimize considerably the danger of droughts and floods in the southern section of the Nation.

Moreover, through the development contemplated, this area will become a playground of majestic proportions and a recreational center in the East that will be accessible within a day's ride to one-half of the population of the United States, for it lies half way between the Mississippi and the Atlantic, and between the Great Lakes and the Gulf, not more than 500 miles distant from each of these extremes.

No other national park in America will serve with such convenience such a large population, and we confidently believe that in preserving this area and donating it to the Nation we are thereby making the Great Smoky Mountains National Park a certainty, and that through

this action taken to-day we are not only preserving an area of great scenic beauty but we are providing a medium through which the people of the South and all other sections of the Nation will become better acquainted, and in this way we shall effect a finer unity of all our people.

I take very great pleasure, Mr. Secretary, in presenting the deed to the lands lying in North Carolina, and in doing so I feel it only just to our people to speak in praise of the splendid work of the North Carolina Park Commission and the National Park Commission, of the citizens of our State and particularly of Hon. Mark Squires, who have cooperated enthusiastically and contributed liberally of their private funds—\$265,000—and of the General Assembly of North Carolina for its bond issue of \$2,000,000. I would also like to make public acknowledgment of the splendid work of Congressman HENRY W. TEMPLE, of Pennsylvania, chairman of the Appalachian National Park Commission, who with his associates on that commission were responsible for the selection of this park area. And particularly must I record the deep gratitude of North Carolina to the Laura Spelman Rockefeller Memorial for its very generous gift of \$5,000,000 to match the funds of both States. This donation came to us through the great interest and public spirit of Mr. John D. Rockefeller, Jr., through the Laura Spelman Rockefeller Memorial, who assisted in the creation of this park as a memorial to his mother; and her memory will be preserved throughout the ages as long as the park shall last, and the good that she will continue to do through her son's loving remembrance will be an everlasting benefit to our people.

Governor Gardner then presented to Secretary Wilbur the deeds to those park lands lying in North Carolina and included in the 158,799.21 acres.

Mr. Cammerer next introduced Gov. Henry H. Horton, of Tennessee, who made the following speech of presentation:

Mr. Secretary, ladies, and gentlemen, I have the honor and great pleasure of presenting, through you, to the Government of the United States, for national park purposes as authorized by the Federal act of May 22, 1926, and applicable legislation passed by the legislature of the State of Tennessee, deed to 100,176.63 acres of land in that section of the Great Smoky Mountains so beautifully described just now by the Governor of North Carolina.

It is not necessary, nor perhaps appropriate at this time, for me to endeavor to enlarge on the beauties and grandeur of this area and its preeminent fitness for national park purposes—time forbids my attempting it. Suffice it to say that the Southern Appalachian Park Commission, headed by Congressman H. W. TEMPLE and composed of men nationally known for their knowledge of national parks and the policies controlling their establishment and development, after a survey of the entire southern Appalachian range selected this area, and in glowing terms proclaimed its beauty. The Secretary of the Interior later on, after investigation of the merits of the project by his experts of the National Park Service of the Interior Department, verified their recommendation as sound. From that time on the Great Smoky Mountains National Park project took its place among the greatest projects ever undertaken by any State for the benefit of mankind, and for conservation of beautiful scenic areas for the enjoyment of this and future generations.

I believe it fitting that I may here express the gratitude and appreciation of the people of Tennessee to Doctor TEMPLE and his associates on the Appalachian National Park Commission, and to your department, and to you, Mr. Secretary, and your immediate predecessor, Secretary Work, for the generous interest manifested in behalf of the park project. Particularly, do I want to emphasize, also, the deep gratitude and heartfelt appreciation of the people of Tennessee for the valuable substantial support given by the Laura Spelman Rockefeller Memorial in matching funds made available locally in the States of North Carolina and Tennessee, so that the park might become a reality, and to Mr. John D. Rockefeller, Jr., whose personal interest and foresight and public-spiritedness have promised the actual realization of this great plan. I wish also at this time to take the opportunity to acknowledge the State's gratitude to Arno B. Cammerer, Associate Director of the National Park Service, who, as your representative, has been unfailing in his cooperation, official and personal, in the enterprise, and in his assistance in solving many unforeseen problems that constantly arise in a new project of this magnitude with few precedents to turn to for guidance.

And to Col. David C. Chapman, an original park advocate and a citizen of Tennessee who unstintingly, without thought of self or his private affairs, has for years given his time, both personally and as chairman of the Tennessee Great Smoky Mountains Park Commission, toward the furtherance of this project, too much praise can not be given by a grateful State. To the members of the Tennessee Great Smoky Mountains Park Commission and other agencies and individuals who have done so much to help the cause and made possible the establishment of the park I desire also to record the thanks of the State of Tennessee.

I am confident all these, and the members of the legislature of my State and of the Congress of the United States, who have supported and cooperated so faithfully, untiringly, and earnestly in the establishment of this park, will join in my satisfaction and pleasure in being

able to participate in this momentous, historic occasion, which marks definitely the beginning of the establishment of one of the most magnificent national parks of the world.

Let me add that Tennessee is interested in bringing this accomplishment to a successful close as speedily as possible. We now have contracted for 40,000 acres more than was delivered to you to-day, and suits are pending in court for condemnation proceedings to 37,000 acres more.

We are running a race with North Carolina as to which can first deliver the entire amount necessary for the park to the Government of the United States.

Governor Horton then presented to Secretary Wilbur the deeds to those park lands lying within Tennessee and included in the 158,799.21 acres.

Secretary Wilbur, having accepted the deeds, made the following talk:

The Governors of North Carolina and Tennessee, ladies, and gentlemen: This is a particularly happy occasion for me. I have written down a few things to say because this is a historical occasion, but before reading them I want to express my deep personal gratitude to all of you men who have been working so hard to bring about the consummation of this very significant project. You have builded better than you know. We were just about on the verge of losing for the eastern part of our continent all of our great natural glories. Your preservation of a portion of them, and the efforts now being made for the Shenandoah National Park, are the most encouraging thing that I know of in this great field of conservation. In fact, this is the largest real-estate operation with which I have ever been associated. You can go as far as you like in your contest between the two States, and if it is an even race you will get an even heartier welcome than to-day.

You have tendered to me, under the provisions of the act of Congress approved May 22, 1926, providing for the establishment, among other things, of the Great Smoky Mountains National Park in the States of North Carolina and Tennessee, title to some 158,799.21 acres, or nearly 240 square miles of unequaled mountain and valley land in the heart of the Great Smokies, which I hereby accept with the profound thanks of the American people, but, of course, necessarily subject to review of title rendered by the legal officers of the department.

Several years ago when a responsible commission under this department, headed by Congressman TEMPLE, of Pennsylvania, and under authority of the Congress, investigated the Southern Appalachian Mountain Range with the object of ascertaining whether there still remained an area within that range measuring up to national-park standards, they rendered an enthusiastic report on the merits of two possible park projects, one that of the proposed Great Smoky Mountains National Park and the other of the proposed Shenandoah National Park. To-day marks the first step in the final accomplishment of the first.

The committee's requirements for their guidance in such search were:

1. Mountain scenery with inspiring perspectives and delightful details.
2. Areas sufficiently extensive and adaptable so that annually millions of visitors might enjoy the benefit of outdoor life and communion with nature without the confusion of overcrowding.
3. A substantial part to contain forests, shrubs and flowers, and mountains and streams, with picturesque cascades and waterfalls overhung with foliage, all untouched by the hand of man.
4. Abundant springs and streams available for camps and fishing.
5. Opportunities for protecting and developing the wild life of the area, and the whole to be a natural museum, preserving outstanding features of the Southern Appalachians as they appeared in the early pioneer days.

6. Accessibility by rail and road.

In what is now the Great Smoky Mountains National Park area was found an area measuring up to the requirements of a national park area, because of the "height of mountains, depth of valleys, ruggedness of the area, and the unexampled variety of trees, shrubs, and plants. The region includes Mount Guyot, Mount Le Conte, Clingmans Dome, and Gregory Bald, and may be extended in several directions to include other splendid mountain regions adjacent thereto."

The department representative directed to review their findings confirmed those facts, and that the area measured up to national park standards in every particular. You therefore are tendering title to a portion of that national park for administrative and protective purposes as authorized by the Federal law, which will soon be followed by the tender of title to the remainder of not less than 277,000 acres to complete the park. At that time the National Park Service of the Interior Department may assume charge of its development as a complete national park under the jurisdiction of the Interior Department.

The States of North Carolina and Tennessee, through their citizens and legislatures, subscribed nearly \$5,000,000 toward this project, which was later matched up to \$5,000,000 by a pledge of the Laura Spelman Rockefeller Memorial in memory of Laura Spelman Rockefeller, completing a fund which it is estimated, based upon the best then available information, is sufficient, I am informed, to complete the purchase of the minimum park project. I particularly want to express my appreciation of the great public spirit shown by the

Laura Spelman Rockefeller Memorial and Mr. John D. Rockefeller, jr., in making this great park project a possibility through their magnificent contribution as a memorial to Laura Spelman Rockefeller. I have not yet had the good fortune to make a personal inspection of this area; but from all I know from those who have been so fortunate I will find one of the most inspiring, romantic, and scenic areas in the Americas when I do visit it, which I hope to do very soon.

In the acquisition of this land for the park for national-park purposes there were no precedents to guide the several States and their representatives. All western national parks were carved from the public domain of the United States, and the acquisition of the land did not cost the Government anything, nor were serious problems of acquisition involved. A different problem had to be met in the Smokies, since the Government could not well, along established policies, spend Federal funds in the acquisition of such land, and the method followed by the two States of securing funds privately had to be followed.

The gathering of the necessary funds, the passing of the special legislation, both Federal and State, necessary to accomplish the object, the acquisition of the many individual parcels of land by purchase or condemnation, all presented titanic problems which, through the earnestness and hard work of the several State park commissions, supported by their respective governors and State legislatures, have been overcome as they arose. Especially do I want to compliment through you the splendid efforts of your respective park commissions headed by the Hon. Mark Squires, of North Carolina, and Col. David C. Chapman, of Tennessee, whose work I consider outstanding in such national effort. The States of North Carolina and Tennessee, their governors, their legislatures, and their park commissions are accomplishing what at one time was considered the impossible, and posterity will forever record the remarkable work that has been done by them and those others who are making the Great Smoky Mountains National Park a fact. This park will when finally completed, I am confident, play its important part in the future progress of the great Commonwealths of North Carolina and Tennessee.

The peoples of the United States will ever appreciate the great work you have done in saving this area, for in the long run we are the sons and daughters of nature, and nature is at her choicest in the Great Smoky Mountains National Park.

Director Horace M. Albright, of the National Park Service, introduced the following members of the North Carolina Park Commission as follows:

Hon. Mark Squires, chairman; Hon. Eugene C. Brooks, secretary; Hon. Verne Rhoades, executive secretary; Hon. D. M. Buck; Hon. John G. Dawson; Hon. Plato D. Ebbs; Hon. R. T. Fountain; Hon. J. A. Hardison; Hon. Stuart W. Cramer; Hon. J. Elmer Long; Hon. Harry L. Nettles; Hon. E. S. Parker, jr.

The Tennessee Park Commission were introduced by Mr. Albright as follows:

Col. David C. Chapman, chairman; Hon. Frederick A. Ault, secretary-treasurer; Hon. J. M. Clark; Hon. E. E. Conner; Hon. Henry E. Colton; Hon. L. B. Allen; Hon. A. E. Markham; Hon. B. A. Morton.

Mr. Albright also presented Representative H. W. TEMPLE, chairman of the Appalachian Park Commission; Col. Glenn S. Smith, secretary of the commission; Mr. Kenneth Charley, representative of the Laura Spelman Rockefeller Memorial; and the Members of Congress from North Carolina and Tennessee who were present.

The presentation ceremonies marked a great occasion.

MESSAGE FROM THE PRESIDENT—INTERNATIONAL CONFERENCE ON THE UNIFICATION OF BUOYAGE AND LIGHTING OF COASTS (S. DOC. NO. 134)

The SPEAKER laid before the House the following message from the President, which was read and, with the accompanying papers, referred to the Committee on Foreign Affairs and ordered printed:

To the Congress of the United States:

I commend to the favorable consideration of the Congress the inclosed report from the Acting Secretary of State, to the end that legislation may be enacted to authorize an appropriation in the sum of \$4,500 for the expenses of participation by the United States in an International Conference on the Unification of Buoyage and Lighting of Coasts, to be held in Lisbon, October 6, 1930.

HERBERT HOOVER.

THE WHITE HOUSE, April 22, 1930.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. DAVIS on account of death in family.

ADDRESS OF SECRETARY OF WAR HURLEY

Mr. HASTINGS. Mr. Speaker, I ask unanimous consent to insert in the RECORD the radio address made to-day by the Sec-

retary of War on the occasion of the unveiling of the memorial to the pioneer woman.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. HASTINGS. Mr. Speaker, under the leave to extend my remarks in the RECORD, I include the radio address broadcast from his study by the Hon. Patrick J. Hurley, Secretary of War, upon the occasion of the unveiling of the monument to the Pioneer Woman, at Ponca City, Okla., to-day, April 22, 1930. His address is as follows:

THE PIONEER WOMAN

We are assembled here to-day to dedicate this beautiful monument to the Pioneer Woman of America. This memorial is a rather late tribute to her sterling character. Woman has never been given her just place in history as a pioneer, an educator, a builder, or as a leader. This is probably due to the fact that most of the pages of history are written by men about men. The history of our civilization is a chronicle of cruelties. Warfare is the chief subject of history and men are the demons as well as the heroes in all wars. Women and children are the chief sufferers of war. The founders of the great religions—the giant minds in philosophy, in arts, and in sciences, have usually been men. The captains of industry and kings of commerce and the builders and leaders of government have been men.

Historians have been so busy with the lives of great sons that they have not stopped to immortalize the mothers who produced them. The characters of men are molded by women. We have reached that period in civilization where we are fair enough to accord to woman the honor of the preeminent part she has taken in shaping the destinies of mankind. As evidence of that fair-mindedness we are assembled here to-day to dedicate a monument to the memory of a woman. The woman has held the objectives gained by the man. She has been the bulwark ever standing between civilization and barbarism.

When we speak of the pioneer woman, we are very naturally inclined to limit her sphere to the last frontier in the United States—the place we know and love so well—our own Southwest. But the pioneer woman has played her part in the conquest of nature through all the ages. She has been with her man and her family in their struggles with the wilderness and the desert places of the world. She came to the Atlantic coast with the first colonists. She has fought by her man's side, borne and protected his children, clear across this continent to its last frontier. The story of her struggles, her sacrifices, her pains, and her sorrows, is lost in the passing of the years. The nameless grave of the pioneer woman is by every stream, on every plain and mountain, from north to south, from east to west, of this great land. The nameless graves of unknown pioneer women are especially numerous here on the sun-kissed plains of the Southwest. It is altogether proper that this beautiful monument to the pioneer woman should be erected here in the storied land of chivalry—the last frontier.

We are unveiling this monument to the pioneer woman on the forty-first anniversary of the opening of a portion of Oklahoma to the white settlers. What is now the State of Oklahoma was then two Territories. The eastern half was Indian Territory and was occupied by the Five Civilized Tribes of Indians—the Choctaw, Chickasaw, Cherokees, Creeks, and Seminoles. The western half was occupied by the so-called wild tribes of Indians and was called Oklahoma Territory. White people lived with the Five Tribes in Indian Territory but were not allowed to settle in Oklahoma Territory. Forty-one years ago to-day the shots fired by the United States cavalymen sounded the call that started thousands of American pioneers and pioneer women on one of the most unusual and interesting races ever run. The prize to the winners in that race was a homestead of rich land, an opportunity to build a home for a family in a wild country.

The hardships to which the men were subjected during the first years of occupancy of Oklahoma were great. Those to which the women were subjected were pitiful. We like to picture our frontier father as a stalwart man, armed with good weapons, marching out into a country where the chances for success were not equal to the dangers that must be encountered. We admire him for his strength and his unflinching courage, but the real fortitude of that expedition was in the heart of the woman who marched with him. I fancy I see her now, her smiling face encircled by a sunbonnet. She was young, brave, and beautiful. It was she who fortified the new home. It was she who went down into the valley of the shadow of death to bring forth the sturdy sons and daughters of the pioneers. It was she who stayed when all others were anxious to leave. It was the pioneer woman, and not the pioneer, who conquered the frontier. In most instances she died before her time. She died often in childbirth; more often probably from the diseases of the frontier, such as malaria, smallpox, and typhoid, without science or medicine to assist her in her battle. The fights of the frontiersman were occasional and fitful. The fight of the pioneer woman was everlasting. But with all this she was the most buoyant, the most cheerful, the most enthusiastic character that our great country has yet produced. Her strong heart sang in the fight with the vicissitudes of an adventurous and uncertain life. The sons of pioneer women every-

where throughout this land of ours stand with uncovered head to-day to do homage to the noblest character of America.

The pioneer woman gave to America its character and soul. The men of the frontier were usually primitive and strong. The very spirit that led them to the frontier would lead them on in the struggle with the unbridled forces of nature. They were as lawless as they were strong. It was the women's influence that led them to establish government and to respect it. It was the restraining influence, the moral guidance of women, the influence of a home, the responsibility of a family that led these rugged men to submit to the orderly processes of law in the settlement of their disputes.

It was the stanchness and uprightness of her character that made community life possible. She saw to it that the actions of her men-folk and children were consistent with the principles of right living. In her own way she had aspirations for mankind at large, but her highest hopes were for the welfare of her own children. She had no use for teachings of despair and distrust. She was a believer in true aristocracy—the aristocracy of mind and character and service. She despised false pride, the presumptions of class, hypocrisy, and snobbishness. Distinction, to her mind, could not be bought or inherited. It could be won only by work, by service to others, by the personal achievement of the individual. Those were the yardsticks by which she measured greatness.

Her appreciation of the eternal worth of character was profound. From this high valuation that she placed on character springs the libel that she was narrow and intolerant in questions of morals and personal honor. If an inability to compromise in matters of conscience and private and public morality can be called narrowness and intolerance, then we must convict her of the fault; but it was a fault that laid the foundations of a high-minded citizenry and a country with a moral purpose.

Nurtured in an atmosphere of uncompromising devotion to honor, her son hesitated not a moment to fight and to kill to avenge the slightest insult to the women of his family. He was quite as hasty in revenging himself upon one who questioned his own integrity.

In molding the character of her children the pioneer woman was exacting and relentless. Intuition and experience told her that character is like a white sheet of paper that once stained can never be restored to its original condition. It is far easier to keep the character pure and clean than it is to cleanse it after it has been defiled. That character, like water, seeks its own level, is generally acknowledged to be true. Men may pay deference and do homage to some human character, but if the individual they adulate is not worthy of their worship, the disillusioned admirers will soon forsake their shattered idol.

Human greatness can only be assayed properly in the crucible of time. Each year that passes the searching test of time develops in bolder relief the beauty, the purity, and the strength of the character of the pioneer woman. In an individual sense her character is "like a candle that sets in a window at night." Her fond love cheers us and guides us to higher, nobler lives. But in a larger sense the composite character of the pioneer woman is the character of our Nation. It is the mighty beacon whose effulgent rays testify to the lofty aspirations and ideals of a hundred and twenty million Americans.

When we seek the sources of the clearness of her mind and the strength of her character, we should remember that she was the daughter of the most vigorous, alert, and aggressive peoples of the Old World. In her veins ran the blood of the fiery and fearless conquistadors; or else she came from another race of conquerors, the stanch and sturdy Anglo-Saxons; or claimed descent from the warm-hearted, liberty-loving Celts, the Irish, the Scotch, and the Welsh. Perhaps her ancestry was French, German, or Scandinavian. We may say that she was largely of Nordic and Celtic ancestry, generally held to be the best blood of Europe, and the pioneer woman of the Southwest was the product of a century and a half of breeding from the higher, stronger, more alert and aggressive individuals of a race of colonists, a breeding process that excluded from propagation the weak, the vicious, the cowardly, those of physical infirmity or imperfect organization. She came from a strain that was more truly selected in point of mental and physical vigor, intellectual inquisitiveness, enterprise, and self-reliance than any other human stock in history.

We can not evaluate her character without an appreciation of her intelligence. Hers was an intelligence that quickly and clearly recognized that the three great pillars of democratic government are religion, education, and the home. She trusted God and was a firm believer in the efficacy of prayer. But experience had taught that in certain matters it is useless to look for the interposition of Divine Providence. She felt that she had been given her faculties, her strength of mind and body, to meet the homely problems of everyday existence. She held it presumptuous for anyone to pray God to stop the weeds from growing in the cabbage patch when one could grasp a hoe and go after the weeds in person. When her family—or her flock—were endangered by a marauder she scorned to run weeping to God. She knew that a stout heart and a pair of fearless eyes behind a straight-shooting rifle could do the job, and she often did it. She did thank God devoutly for all the

blessings He had bestowed on her and her loved ones. She thanked Him most for giving her the strength to be worthy of all that she had been given to keep and to enjoy. Hers was a religion of true nobility—of a noble heart that was glad to do homage to the Creator and scorned all weakness, meanness, and dishonesty.

You may have perceived that I have omitted the harrowing details of the bloody conflict that ensued wherever the Indian and white races met. The woman whose life we have been portraying belonged to an all-conquering civilization that brooked no barrier, acknowledged no defeat in its march to empire. The Indians who attempted to stay the march of this civilization belonged to a vanishing race whose tepees slowly receded toward the setting sun as the waves of white conquest broke over its lands. But the Indian mother gave much to the spiritual civilization of the West, and those who knew her hold her memory in respect and love. This memorial is erected to the woman of a fair-skinned race but as a pioneer that woman was preceded by a red-skinned woman whose virtues have received scant recognition. The fortitude, stoicism, and loyalty of the Indian mother are unsurpassed by any womanhood in history. She knew as deep mother's love as that of her white sister.

There was often a deep bond of sympathy between these sisters of two different civilizations. The Indian mother showed the white mother how to conquer many of the terrors of a primitive land and the unfriendly forces of nature. She taught her how to weave, how to distinguish healing herbs and plants, how to apply many of the homely remedies that often saved a little life when medical assistance was far away. She instructed the white mother in the lore of the forest, the stream, and the mountain. Her courageous example in the presence of disease, danger, and death inspired the white mother to emulate her moral and physical fortitude.

Much has been said about the result of the crossing of the blood of the Indian and the white races. In the Southwest we can truly say that that mixture of blood has produced many of our most prominent leaders in thought and action. Let us mention a few of our leaders who represent both races. Sequoyah, the inventor of the Cherokee alphabet; Hon. Charles Curtis, Vice President of the United States; Senator Robert L. Owen, the author of the Federal reserve banking system; Hon. W. W. Hastings, dean of the Oklahoma delegation in Congress; and our own inimitable Will Rogers.

The pioneer woman is the author of peace between the red and white races. Amalgamation and education did for the Indian what fire and sword failed to do. The pioneer woman was the first to recognize that an educated Indian is a good citizen. The pioneer woman was passionately devoted to education. She knew that when the community creates and maintains a competent school system it has gone far toward solving the problem of the perpetuation of democracy and equality of opportunity for the individual. She wanted her children to receive an education. She also wanted them taught an appreciation of their heritage, a vision of public needs and duties, the inspiration to develop and maintain a free government. She saw that the democratic institutions of this Nation can be maintained only so long as the child adheres to the ideals that motivated the father in setting up this Government. For that reason we must name proper education as one of those spiritual agencies that guarantee the perpetuation of our individual prosperity and privileges.

Though we may disagree as to just what are our national faults and what should be our national conduct, we can all agree on our national aspirations. We aspire to establish social and economic justice and to maintain equality of opportunity. We endeavor to promote education, tolerance, and prosperity. We seek to abolish poverty and crime and to advance the cause of peace and good will. Because they are our aspirations, our Government, since its establishment, has brought more happiness to more human beings, over a greater period of time, than has any other government.

That great training agency, that maker of men, the old frontier, has gone forever. Its place as a molder of character and a maker of manhood has been taken by the new school system, but what the frontier taught our fathers and mothers can well be included in the school curriculum of to-day.

The frontier taught that clear thinking was needed in emergency; that actions should be based on facts, not on fancies. It taught that we should put our faith in work and not in words; that what is right deserves not only our respect but our support.

If our school system teaches these rules of right conduct and basic morality as faithfully and thoroughly as the pioneer mother taught them to her brood, then we need entertain no fears for the State's increasing prosperity and happiness.

In the erection of this monument we pledge a reverence to the woman who has laid the foundation of the character of our community, State, and Nation. This tribute to her memory will keep the fundamental principles of her character constantly before the people of Oklahoma. Every citizen who passes this way and looks upon this memorial will be strengthened in the conviction that this State shall be kept worthy of the woman whom this bronze statue commemorates.

Truths are told in tens of thousands of volumes—from thousands of pulpits and rostrums—but they are soon forgotten. They enter the mind

and are present for a moment, but they are soon displaced. But the perpetual lesson of a great example, united to a great truth, carries the lesson from generation to generation, and makes a permanent impression on every character that comes in contact with it. The example of the pioneer woman will remain the foundation of the character of the people when all our words shall have been forgotten. She has achieved certain immortality in every American home. The American people have enshrined the character of the pioneer woman in the pantheon of their hearts.

ENROLLED BILLS SIGNED

Mr. CAMPBELL of Pennsylvania, from the Committee on Enrolled Bills, reported that that committee had examined and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H. R. 7881. An act authorizing the Secretary of the Interior to erect a monument as a memorial to the deceased Indian chiefs and ex-service men of the Cheyenne River Sioux Tribe of Indians.

The SPEAKER announced his signature to an enrolled bill of the Senate of the following title:

S. 3135. An act granting the consent of Congress to Helena S. Raskob to construct a dam across Robins Cove, a tributary of Chester River, Queen Annes County, Md.

ADJOURNMENT

Mr. JOHNSON of South Dakota. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 15 minutes p. m.) the House adjourned until to-morrow, Wednesday, April 23, 1930, at 12 o'clock noon.

COMMITTEE HEARINGS

Mr. TILSON submitted the following tentative list of committee hearings scheduled for Wednesday, April 23, 1930, as reported to the floor leader by clerks of the several committees:

COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

(10 a. m.)

To amend the interstate commerce act, as amended, to require separate valuation of terminal facilities and a reasonable return thereon (H. R. 10418).

COMMITTEE ON FLOOD CONTROL—SUBCOMMITTEE ON PRELIMINARY EXAMINATION AND SURVEY

(10.30 a. m.)

To authorize a preliminary examination of the French Broad River for the purpose of flood control (H. R. 10720).

Authorizing a preliminary examination and survey of the Mokelumne River, Calif., and its tributaries, with a view to the control of floods (H. R. 9779).

To provide for a survey of the Tittabawassee and Chippewa Rivers, Mich., with a view to the prevention and control of floods (H. R. 2936).

To authorize a preliminary examination of the Fox River, Wis., for the purpose of flood control (H. R. 11201).

To provide a preliminary survey of Waccamaw River, N. C. and S. C., with a view to the control of its floods (H. R. 10264).

To authorize and direct a preliminary examination of the Hocking River for the distance it flows through Athens County, Ohio (H. R. 8736).

To authorize and direct a preliminary examination of the Mohican River Ditch from Lake Fork, Ohio, south a distance of 8 miles (H. R. 8290).

Authorizing the Secretary of War to cause a preliminary examination and survey to be made of Pearl River from Jackson, Miss., to Rockport, Miss. (H. R. 7430).

To provide for examination and survey of Licking River, Ky. (H. R. 7608).

COMMITTEE ON BANKING AND CURRENCY

(10.30 a. m.)

To consider branch, chain, and group banking as provided in House Resolution 141.

COMMITTEE ON THE JUDICIARY

(10 a. m.)

Proposing an amendment to the Constitution of the United States (H. J. Res. 114, H. J. Res. 11, H. J. Res. 38).

Proposing an amendment to the eighteenth amendment of the Constitution (H. J. Res. 99).

Proposing an amendment to the Constitution of the United States providing for a referendum on the eighteenth amendment thereof (H. J. Res. 219).

Proposing an amendment to the eighteenth amendment of the Constitution of the United States (H. J. Res. 246).

EXECUTIVE COMMUNICATIONS, ETC.

417. Under clause 2 of Rule XXIV, a communication from the President of the United States, transmitting supplemental estimates of appropriations for the Treasury Department for the fiscal year 1931 amounting to \$28,693,540 (H. Doc. No. 358) was taken from the Speaker's table and referred to the Committee on Appropriations and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of Rule XIII.

Mr. FOSS: Committee on the Post Office and Post Roads. H. R. 8568. A bill to compensate the Post Office Department for the extra work caused by the payment of money orders at offices other than those on which the orders are drawn; with amendment (Rept. No. 1257). Referred to the Committee of the Whole House on the state of the Union.

Mr. PITTEMBERG: Committee on the Post Office and Post Roads. H. R. 9300. A bill to authorize the Postmaster General to hire vehicles from village delivery carriers; without amendment (Rept. No. 1258). Referred to the Committee of the Whole House on the state of the Union.

Mr. HAUGEN: Committee on Agriculture. H. R. 11789. A bill to aid in the maintenance of engineering experiment stations in connection with the colleges established in the several States under the provisions of an act approved July 2, 1862, and of the acts supplemental thereto; without amendment (Rept. No. 1259). Referred to the Committee of the Whole House on the state of the Union.

Mr. BEERS: Committee on Printing. H. R. 11274. A bill to amend section 305, chapter 8, title 28 of the United States code relative to the compilation and printing of the opinions of the Court of Customs and Patent Appeals; without amendment (Rept. No. 1260). Referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of Rule XIII.

Mr. VINSON of Georgia: Committee on Naval Affairs. H. R. 10387. A bill authorizing the Secretary of the Navy, in his discretion, to deliver to the custody of the city of Denver, Colo., the ship's bell, plaque, war record, name plate, and silver service of the cruiser *Denver* that is now or may be in his custody; with amendment (Rept. No. 1256). Referred to the Committee of the Whole House.

Mr. ENGLEBRIGHT: Committee on the Public Lands. H. R. 247. A bill validating certain applications for, and entries of, public lands; with amendment (Rept. No. 1261). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of Rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. MOUSER: A bill (H. R. 11849) to declare the 11th day of November, celebrated and known as Armistice Day, a legal holiday; to the Committee on the Judiciary.

By Mr. WHITEHEAD: A bill (H. R. 11850) to amend the act entitled "An act for the relief of contractors and subcontractors for the post offices and other buildings and work under the supervision of the Treasury Department, and other purposes," approved August 25, 1919, as amended by act of March 6, 1920; to the Committee on Public Buildings and Grounds.

By Mr. KIESS: A bill (H. R. 11851) to extend the duties and powers of the Bureau of Efficiency to include the government of the insular and Territorial possessions of the United States; to the Committee on the Territories.

By Mr. VESTAL: A bill (H. R. 11852) amending the statutes of the United States to provide for copyright registration of designs; to the Committee on Patents.

By Mr. FRENCH: A bill (H. R. 11853) to authorize the Secretary of the Treasury to prepare and manufacture a medal in commemoration of the one hundred and twenty-fifth anniversary of the expedition of Capt. Meriwether Lewis and Capt. William Clark; to the Committee on Coinage, Weights, and Measures.

By Mr. WILLIAMSON: A bill (H. R. 11854) to amend section 43, title 5, United States Code; to the Committee on Expenditures in the Executive Departments.

By Mr. GRANFIELD: Joint resolution (H. J. Res. 313) directing the President to proclaim October 11 of each year General Pulaski's memorial day for the observance and commemoration of the death of Brig. Gen. Casimir Pulaski; to the Committee on the Judiciary.

By Mr. NIEDRINGHAUS: Joint resolution (H. J. Res. 314) declaring the transfer of the St. Charles Bridge over the Missouri River on National Highway No. 40 not a sale; to the Committee on the Judiciary.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ALLGOOD: A bill (H. R. 11855) for the relief of Homer B. Aldrege, also known as Homer B. Collins; to the Committee on Military Affairs.

By Mr. BEERS: A bill (H. R. 11856) granting an increase of pension to Elizabeth G. Williams; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11857) granting an increase of pension to Catherine Johnson; to the Committee on Invalid Pensions.

By Mr. CRAIL: A bill (H. R. 11858) granting an increase of pension to Robert Henkle; to the Committee on Pensions.

Also, a bill (H. R. 11859) granting a pension to Catherine B. Kinkead; to the Committee on Pensions.

By Mr. HOWARD: A bill (H. R. 11860) for the relief of Lydia Wakanna; to the Committee on Claims.

Also, a bill (H. R. 11861) for the relief of Joseph Redwing; to the Committee on Claims.

By Mr. DALLINGER: A bill (H. R. 11862) for the relief of Ralph S. Alioti; to the Committee on Naval Affairs.

By Mr. JOHNSON of South Dakota: A bill (H. R. 11863) for the relief of George B. Pfeiffer; to the Committee on Claims.

By Mr. KELLY: A bill (H. R. 11864) granting an increase of pension to Agnes C. Ladley; to the Committee on Invalid Pensions.

By Mr. MANLOVE: A bill (H. R. 11865) granting a pension to Addie Mabel Brown; to the Committee on Invalid Pensions.

By Mr. MOORE of Ohio: A bill (H. R. 11866) granting an increase of pension to Eliza McGrew; to the Committee on Invalid Pensions.

By Mr. PRITCHARD: A bill (H. R. 11867) granting a pension to Beulah H. Baldwin; to the Committee on Pensions.

Also, a bill (H. R. 11868) granting a pension to Chester O. Jarrett; to the Committee on Pensions.

Also, a bill (H. R. 11869) to reimburse Mrs. Charles Stewart for moneys expended by her in treatment of her husband, Charles L. Stewart, who was fatally wounded while in the performance of duty as deputy United States marshal; to the Committee on Claims.

Also, a bill (H. R. 11870) extending the time for the consideration of application for retirement of Walter Hinman under the emergency officers' retirement act; to the Committee on Military Affairs.

By Mr. SNELL: A bill (H. R. 11871) for the relief of Ida M. Everett; to the Committee on Claims.

By Mr. STALKER: A bill (H. R. 11872) granting a pension to John A. Donahue; to the Committee on Pensions.

Also, a bill (H. R. 11873) granting an increase of pension to Sarah L. Cook; to the Committee on Invalid Pensions.

By Mr. SWANSON: A bill (H. R. 11874) granting a pension to Uriel Sliter; to the Committee on Invalid Pensions.

By Mr. SWICK: A bill (H. R. 11875) granting an increase of pension to Ida M. Steiner; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

7057. Petition of city and county of Honolulu, Board of Supervisors, Honolulu, Hawaii, petitioning Congress to create a charter for the city and county of Honolulu; to the Committee on the Territories.

7058. By Mr. CROSSER: Petition of Eugene Remy and others, favoring passage of House bill 11; to the Committee on Interstate and Foreign Commerce.

7059. By Mr. DARROW: Resolution of the Philadelphia Board of Trade, urging reinstatement of the clause in the tariff bill (H. R. 2667) authorizing the Tariff Commission to recommend such adjustment of tariff rates as may be justified by the exigencies of trade subject to approval and promulgation by the President of the United States; to the Committee on Ways and Means.

7060. Also, resolution of the Philadelphia Board of Trade, protesting against the adoption of the export debenture provision of the tariff bill, H. R. 2667; to the Committee on Ways and Means.

7061. Also, resolution of the Philadelphia Board of Trade, in reference to section 402 (b) of the tariff bill, H. R. 2667, ap-

proving American valuation; to the Committee on Ways and Means.

7062. By Mr. GARBER of Oklahoma: Petition of Gobierno Municipal de Carolina, oficina del Alcalde, in favor of bill for economic rehabilitation of Porto Rico; to the Committee on Insular Affairs.

7063. Also, petition of St. Charles Free Bridge Committee, Clayton, Mo., declaring the transfer of the St. Charles Bridge over the Missouri River on National Highway No. 40, not a sale; to the Committee on Interstate and Foreign Commerce.

7064. Also, petition of Izaak Walton League of America, Oklahoma City, Okla., in support of House bill 6981; to the Committee on the Public Lands.

7065. Also, petition of Stanwood Lumber Co., Stanwood, Wash., in opposition to tariff on lumber; to the Committee on Ways and Means.

7066. Also, petition of Henry Mill & Timber Co., Tacoma, Wash., in opposition to duty on logs; to the Committee on Ways and Means.

7067. Also, petition of Tidewater Lumber Co., Tacoma, Wash., in opposition to tariff on lumber; to the Committee on Ways and Means.

7068. Also, petition of United States Beet Sugar Association, Washington, D. C., in support of the tariff on sugar; to the Committee on Ways and Means.

7069. By Mr. HOWARD: Petition signed by Harry Kleinberg, of Wynot, Nebr., and 61 other persons of Cedar County, Nebr., pleading for the passage of House bill 2562, providing for increased pensions to survivors of the Spanish-American War; to the Committee on Pensions.

7070. By Mr. JOHNSON of Nebraska: Resolution from Court No. 1009, Catholic Daughters of America, protesting passage of House bill 10; to the Committee on Education.

7071. By Mr. LINDSAY: Petition consisting of individual letters, registering protest against the Federal education bill, and contending that education is a local matter and not for governmental administration, from the following citizens of the third congressional district, Brooklyn, N. Y.: Harry F. Collins, John P. Cummings, Julie Cummings, Mrs. M. Garvey, Alice McCann, Rose McCann, Richard P. Murphy, and Michael J. Quinlan; to the Committee on Education.

7072. By Mr. OSIAS: Petition signed by Deogracias Mata, of Daraga, Albay, Philippine Islands, urging the passage of Senate bill 476 and House bill 2502; to the Committee on Pensions.

7073. By Mr. STONE: Resolution indorsing House bill 10574, signed by Mrs. C. R. Lawrence, president of the Cleveland County Women's Federated Farm Clubs; Mrs. Roger Lessly, secretary; and Mrs. Roy Klenlen, treasurer, all of Norman, Okla.; to the Committee on Interstate and Foreign Commerce.

7074. By Mr. SWICK: Petition of Gen. George Crook Camp, No. 3, National Indian War Veterans, 2435 North Carlisle Street, Philadelphia, Pa., and 2,275 members of affiliated camps in Pennsylvania, New Jersey, Delaware, New York, and Maryland, urging the enactment of House bill 8976 for the relief of veterans and widows and minor orphan children of veterans of Indian wars; to the Committee on Pensions.

7075. By Mr. THATCHER: Petition signed by William H. Lawson and others, of Jefferson County, Ky., supporting Spanish War veterans' legislation; to the Committee on Pensions.

7076. By Mr. WYANT: Petition of Mount Odlin Sisterhood, Dames of Malta, Greensburg, Pa., advocating passage of Robison-Capper free public school bill (H. R. 10); to the Committee on Education.

SENATE

WEDNESDAY, April 23, 1930

(Legislative day of Monday, April 21, 1930)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

Mr. FESS. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Allen	Couzens	Hale	Keyes
Ashurst	Cutting	Harris	La Follette
Barkley	Dale	Harrison	McCulloch
Bingham	Deneen	Hatfield	McKellar
Black	Dill	Hawes	McNary
Blaine	Fess	Hayden	Norbeck
Blease	Frazier	Hebert	Norris
Borah	George	Heflin	Nye
Brock	Gillett	Howell	Oddie
Broussard	Glass	Johnson	Overman
Capper	Goldsborough	Jones	Patterson
Caraway	Gould	Kean	Phipps
Copeland	Greene	Kendrick	Pine

Pittman
Ransdell
Robinson, Ind.
Robson, Ky.
Shipstead
Shortridge
Simmons

Smoot
Steck
Steinwer
Stephens
Sullivan
Swanson
Thomas, Idaho

Thomas, Okla.
Townsend
Trammell
Vandenberg
Wagner
Walcott
Walsh, Mass.

Walsh, Mont.
Waterman
Watson
Wheeler

Mr. WALSH of Montana. I announce that the senior Senator from Texas [Mr. SHEPPARD] and the junior Senator from Texas [Mr. CONNALLY] are absent attending the funeral services of the late Representative Lee, of Texas. They will probably be absent until Thursday.

I also wish to announce that the Senator from Florida [Mr. FLETCHER], the Senator from Utah [Mr. KING], and the Senator from South Carolina [Mr. SMITH] are all detained from the Senate by illness.

I further desire to announce that the Senator from Arkansas [Mr. ROBINSON] and the Senator from Pennsylvania [Mr. REED] are returning from the London Naval Conference.

Mr. NORBECK. My colleague [Mr. McMASTER] is unavoidably absent from the city. I ask that this announcement may stand for the day.

Mr. SHIPSTEAD. I wish to announce that my colleague the junior Senator from Minnesota [Mr. SCHALL] is unavoidably absent. I will let this announcement stand for the day.

The VICE PRESIDENT. Seventy-seven Senators have answered to their names. A quorum is present.

INVESTIGATION OF SALE OF GOVERNMENT SHIPS

Mr. COPELAND. Mr. President, I was astonished to find in the Record this morning that the resolution (S. Res. 129) seeking to investigate the sale of Government ships had been taken from the calendar yesterday in the presence of a handful of Senators and placed upon its passage. It was well known by all concerned that there was opposition in the committee to the proposal. I vigorously protest against bringing up matters in the Senate from the calendar, except as they may be purely local in character, without notice to other Senators of an intention to do so.

Mr. McKELLAR. Mr. President, will the Senator yield?
The VICE PRESIDENT. Does the Senator from New York yield to the Senator from Tennessee?

Mr. COPELAND. I yield.
Mr. McKELLAR. The resolution was brought up yesterday soon after the session began, when there were probably as many Senators present as are present now. The matter was discussed only casually. I remember that the Senator from Washington [Mr. JONES] stated that he would vote against it if it came to a vote, but would not object to its consideration, and I did not know there was any other objection.

Mr. COPELAND. The Senator from Tennessee knows very well that the Senator from New York opposed the matter in the committee.

Mr. McKELLAR. Yes; that is true.
Mr. COPELAND. The Senator was present at the time.
Mr. McKELLAR. Yes.

Mr. COPELAND. I think it is a very grave mistake to impose another investigation upon the country. Here is a matter relating to the Shipping Board. We have had investigations without end of that board. The matters brought up are matters which have been discussed on the floor of the Senate time and time again. In any event it was a matter in the consideration of which those of us who had other views had the right to be heard.

Mr. President, I ask unanimous consent that the vote by which the resolution was agreed to may be reconsidered and the resolution restored to the calendar.

The VICE PRESIDENT. Is there objection to the reconsideration of the vote by which the resolution was agreed to?

Mr. McKELLAR. I shall object.
Mr. COPELAND. I hereby enter a motion to reconsider the vote agreeing to the resolution.

The VICE PRESIDENT. The motion to reconsider will be entered.

PETITIONS

Mr. JONES presented petitions of sundry citizens of Seattle, Wash., praying for the passage of the so-called Smoot bill, being Senate bill 1468, to amend the food and drugs act of June 30, 1906, by extending its provisions to tobacco and tobacco products, which were referred to the Committee on Agriculture and Forestry.

REPORTS OF COMMITTEES

Mr. CAPPER, from the Committee on Agriculture and Forestry, to which was referred the bill (S. 3950) authorizing the establishment of a migratory bird refuge in the Cheyenne Bot-